Ontario
Women's Directorate

Achieving Employment Equity

A Manual for
Practitioners

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FOREWORD

The Government of Ontario is committed to improving the economic and social status of women in Ontario. Its program initiatives in promoting the first of these objectives have included implementing an employment equity program in the Ontario Public Service, providing a consulting service to private companies wishing to establish employment equity programs, encouraging the establishment of programs in educational, municipal, and health institutions, and providing incentive funding for these public sector programs.

In its endeavour to promote employment equity, the Government recognizes the need to provide information to those employers involved in developing and implementing programs. Commitment to, and knowledge of, employment equity programming varies considerably and therefore employers will have a range of informational needs. Those with sophisticated, mature programs can benefit from recent developments in the field, especially statistical techniques or new insights on organizational change. Those initiating programs may require more guidance on the components and processes of employment equity.

This manual is designed as a reference document to assist the practitioner charged with responsibility for developing and managing an organization's equity initiatives.

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PREFACE

The employment equity practitioner must fully comprehend the origins and the individual, social, and organizational manifestations of discrimination in order to establish an understanding of the need for employment equity. This level of understanding can be enhanced by a thorough study of the existing literature. The practitioner is referred to the field of sociology as a starting point. Important information and understanding comes through contact with experienced human rights and affirmative action practitioners, and the beginning practitioner is urged to establish these contacts locally and provincially as early as possible.

The following is a brief overview of the current status of women.

THE STATUS OF WOMEN

Wages/Participation

In 1983, 43.1 percent of all workers in Ontario were women. This represents a labour force participation rate of 56.4 percent. Women in 1981 working full-time earned on average 64.0 percent of what men working full-time earned (59.9 percent in 1971). The average annual earnings of full-year women working in Canada based on 1978 figures was $9,874 while that of men was $17,038. Part of this differential was due to occupational differences but within occupations a substantial difference existed as well.

Average Annual Earning of Full-Year

Workers in Canada — 1978

Occupation	Average Earnings		
	Male	Female	Female %
Managerial	25,337	13,250	54.4
Professional	21,865	13,484	61.7
Clerical	14,403	9,592	66.6
Sales	16,456	7,193	43.7
Service	13,258	6,372	48.1
Farming	10,435	—	—
Processing and Machining	16,271	8,698	53.5
Product Fabrication	15,728	8,179	52.0
Construction	16,275	—	—
Transport	15,575	10,424	66.9
Total			58.0

Statistics Canada Catalogue 13-307 Table 43.

A differential exists even in office occupations which are female dominated and usually have fairly well controlled salary ranges. The gap is narrower, undoubtedly due to both the specificity of the occupational categories and the high levels of female representation.

While the influx of women in the labour force over the past decade has been substantial, changes to the wage gap have been minimal.

Average Earnings for Office Occupations — Ontario 1979

Occupation	Average		Female As % Male
	Male	Female	
Office Occupation (weekly)			
Accounting Clerk, Jr.	$ 231	$ 198	85.7%
Accounting Clerk, Sr.	301	235	78.1%
Bookkeeper, Sr.	331	249	75.5%
Bookkeeper-Bill.-Calcu.			
Machine Operator, Jr.	247	187	75.7%
Bookkeeping-Bill.-Calcu.			
Machine Operator, Sr.	252	219	86.9%
Clerk, General Office, Jr.	204	180	88.2%
Clerk, General Office, Int.	238	221	92.9%
Clerk, General Office, Sr.	294	257	87.4%
Computer Operator, Jr.	254	222	87.4%
Computer Operator, Sr.	310	252	81.3%
Computer Peripheral			
Equipment Operator	256	230	89.8%
Cost Clerk	288	225	78.1%
Data Entry Operator, Jr.	224	199	88.8%
Data Entry Operator. Sr.	243	226	93.0%
Draughtsman/Woman, App.	215	190	88.4%
Draughtsman/Women, Jr.	254	239	94.1%
Draughtsman/Women, Int.	312	289	92.6%
Draughtsman/Women, Sr.	378	344	91.0%
File Clerk	201	176	87.6%
Office Boy/Girl	179	169	94.4%
Office Manager	398	340	85.4%
Order Clerk	275	204	74.2%
Programmer, Jr.	311	285	91.6%
Programmer, Sr.	386	351	90.9%
Secretary, Jr.	249	222	89.2%
Secretary, Sr.	283	258	91.2%
Stenographer, Jr.	213	213	100.0%
Stenographer, Sr.	230	227	98.7%
Stock Records Clerk	267	204	76.4%
Systems Analyst, Jr.	415	368	88.7%
Systems Analyst, Sr.	482	434	90.0%
Telephone Operator	193	194	100.5%
Transcribing Machine			
Operator, Sr.	231	225	97.4%
Typist, Jr.	194	182	93.8%
Typist, Sr.	208	203	97.6%

Unemployment

The female unemployment rate is significantly higher than that for males. It has risen from 3.1 percent in 1966 to 7.7 percent in 1980 to 9.6 percent in 1984. The unemployment rate for males in 1980 was 6.2 percent and 8.7 percent in 1984. In Ontario women now make up nearly half of all unemployed workers.

Occupational Representation

Occupational segregation and concentration are pronounced, with predictable impact on the salary and opportunity of women. For example, there are 581,000 females in the Clerical category compared with 159,000 males. In primary occupations there are 127,000 males and 37,000 females.

Labour Force Participation Growth

Female participation in the labour force is expected to account for 70 percent of labour force growth in the 1980's. In the 1970's the growth of the female labour force was almost 2 million individuals.

Conclusions

The statistical findings support the contention that a growing part of the labour market (i.e. women) is being systematically barred from certain entry level jobs, specific occupational groups, upward mobility and is subject to a negative salary impact.

The problem of the employment disparity between men and women is significant in both economic and human terms. The need for government to act was compelling. The need for employers to respond is essential to fully utilize a large segment of the workforce.

ORGANIZATIONAL BENEFITS FROM EMPLOYMENT EQUITY

Beginning practitioners are frequently overwhelmed by the animosity provoked by the mention of affirmative action. Misinformation about the intent and outcome of affirmative action abounds. There are, however, very real benefits to an organization which actively pursues the goal of employment equity for its workforce.

Employment equity is a positive management strategy to enhance the efficiency, effectiveness and equity of an organization's policies, practices and systems. Employment equity does not imply externally imposed quotas or the promotion of unqualified persons, as is sometimes thought.

Benefits of employment equity action can accrue on three major fronts:

i)   the impact on the employment situation of women which maximizes the work involvement of a growing sector of the labour force;

ii) the elimination of discriminatory policies and practices and systemic barriers which facilitates legal compliance and reduces liability; and,

iii) the development and implementation of more effective human resource management which impacts on productivity.

The problem solving and planning activities intrinsic to an employment equity approach are standard tools in good management although their application on the human side of the enterprise is less common than on production, marketing, service delivery or finance areas.

Shaeffer and Lynton (1979) assessed corporate experiences in improving women's job opportunities. One senior Vice-President, Human Resources noted:

> 'There's no question about it. It was the affirmative action challenge that forced our company to begin to manage its human resources, adapting all the planning techniques we ordinarily use in managing financial resources."

Employers have found that affirmative action programs lead to:

* the modification or elimination of many outmoded or unnecessary procedures and practices
* the introduction of improved procedures and practices
* the standardization and wider dissemination of information about all personnel procedures, policies and practices
* centralized planning, monitoring and control of the impact of these procedures, policies, and practices

The bottom-line has been positively affected as well. Employers have found less turnover (Warner-Lambert) and more representative participation (Crump, 1983; Leonard, 1983).

Shaeffer's research showed that there were structural changes throughout the entire corporation, not just the personnel department. It was her conclusion that all employees, not just women and minorities, had gained as a result.

THE LANGUAGE OF EQUITY PROGRAMS

Like most specialized fields a unique language has evolved to describe the activities and outcomes of affirmative action programs. In some cases the terminology is in general usage, in others it has been uniquely ascribed, in still others it is derived from another field.

Glossary of Terms

"ADVERSE IMPACT"
A statistical test used to assess whether or not a specific employment action has negatively affected one group more than another. The standard usually employed is 80/20.

"AVAILABILITY ANALYSIS"
Analysis of statistical information on the numbers and skills of women in the internal labour force and the external market from which it is determined the number of potential female candidates to fill a particular job.

"BFOQ (bona fide occupational qualification/requirements)"
Qualifications absolutely required to perform a job.

"CHILLING EFFECT"
The negative impact of perceived policies, practices, and systems. The resulting effect is that women would be discouraged from seeking employment, promotion etc. e.g. Company X only hires males for that particular job group.

"CONTRACT COMPLIANCE"
The use of government purchasing power to ensure that the impact of personnel systems results in the equal representation of women at all levels of the employer's workforce.

"DISSIMILARITY INDEX"
A measure of the degree of correspondence between the occupational profile of men and women.

"EQUAL EMPLOYMENT OPPORTUNITY"
A term used to describe the neutralizing of discriminatory practices as well as the result.

"JOB GROUP"
One of a group of jobs having similar content, wage rates, and opportunities.

"NEOSEXISM"
New forms of sexism which in most cases are more subtle and sophisticated than in the past. e.g. differential ad hoc tests to determine a female's qualification for a job.

"NEUTRAL SYSTEMS"
Systems which do not adversely impact on a particular group.

"SPECIAL MEASURES"
Measures designed to remedy the effects of past discrimination.

"SYSTEMIC DISCRIMINATION"/"INDIRECT DISCRIMINATION"

An employment policy, practice, procedure or system which excludes or has a negative impact on women or other target groups, whether or not that impact was intended, and which cannot be justified by job-relatedness or business necessity.

"STOCK STATISTICS"

Static data on organizational composition e.g. numbers of women in managerial jobs.

"TRANSACTION OR FLOW DATA"

Statistical information which documents employment activities such as hiring, promotion, training etc. over time.

"UNDER-UTILIZATION"

i) a situation in which there are fewer women in a particular job classification than could reasonably be expected given their availability in the relevant labour market;

ii) a situation in which persons are employed in jobs which do not make use of their skills and training.

"VALIDITY"

Face validity - does a test measure what it purports to measure ?

Inferential/predictive validity - the degree to which performance on a test predicts successful job performance.

"WORKFORCE ANALYSIS / AUDIT"

Analysis of the status of specific groups within a workforce.

"WORKFORCE ARRAY"

A profile of an employer's overall workforce based on a listing of job titles from lowest to highest paid within organizational units.

Following are two brief exercises designed to confirm your familiarity with employment equity terminology. Fill in the blanks with the appropriate word(s).

I. The Great Northern Mining Company was concerned about the small number, i.e. (i) _____ of women in a number of job groups. They noted that women were mostly (ii) _____ in secretarial and clerical positions. Their (iii) _____ analysis showed a consistent profile of women at the lower end of all organizational units and men at the higher end. They remarked that whenever they advertised no women applied and they wondered about a (iv) _____ _____ effect. They checked the qualifications for the various jobs and felt they met the standards as (v) _____. When they looked at some positions where women had applied they found that only a very small percentage were interviewed and after assessing this statistically over a two month period they concluded there was (vi) _____ impact which pointed to possible (vii) _____ discrimination. They also monitored promotional actions and concluded from this (viii) _____ data that a problem existed here as well. Because of the extent and seriousness of the problem they decided to develop an (ix) _____ plan. They felt this would lead to fairer and more efficient employment practices for all their employees and also eliminate both (x) _____ discrimination.

II. The City of XXXXXXX had had an Affirmative Action Program for some time yet they were still not satisfied with the results. They had primarily focused on eliminating discriminatory barriers and replacing them with (i) _____ systems that didn't seem to impact differentially on women. Their (ii) _____ statistics showed the same representation within occupational groups over a three year period and the same pay relationships. In order to determine both internally and externally what the qualified pool of women was in various job groups they did an updated (iii) _____ analysis. A significant difference between the occupational profiles of men and women showed up on the (iv) _____ index. The entry test had been a cause of concern for some time and when they studied it they found its ability to predict good job performance was poor, (v) _____ was simply not good enough. They concluded that just neutralizing potential discriminatory practices i.e. (vi) _____ program in this situation was not enough. They needed something that would remedy the effects of past discrimination (vii) _____ among other things. They wanted to be prepared if the government brought in (viii) _____ since they felt they should set a good example for those whose goods and services they purchased if they were to convince them to undertake positive programs too.

(viii) contract compliance
(vii) special measures
(vi)   equal employment opportunity
(v)   predictive validity
(iv)   dissimilarity
(iii) availability
(ii)   stock
(i)   neutral

"Employment Equity" and "Affirmative Action"

The Abella Commission introduced a new term "employment equity" to the language used to describe the intent, strategies, and results of equality in employment programs. The definition provided was:

> "Employment equity is a strategy designed to obliterate the present and the residual effects of discrimination and to open equitably the competition for employment opportunities to those arbitrarily excluded. It requires a special blend of what is necessary, what is fair, and what is workable."

They proposed a new term be adopted in the Canadian context in order to offset the resistance that they felt was automatically triggered by the term "affirmative action".

The Abella Commission concluded that "Ultimately, it matters little whether in Canada we call this process employment equity or affirmative action, so long as we understand that what we mean by both terms are employment practices designed to eliminate discriminatory barriers and to provide in a meaningful way equitable opportunities in employment."

The term "affirmative action" has been used in the Canadian context since at least 1974. The program in the Ontario Public Service has been referred to as Affirmative Action, as has the most recent program initiative of the Federal Service. Employment and Immigration Canada's consultative endeavours are similarly designated. The latter defines affirmative action as "...a comprehensive planning process adopted by an employer to:

- identify and eliminate discrimination in the company's employment process and policies;

- remedy the effects of past discrimination; and

- ensure appropriate representation of target groups throughout the employer's organization."

In the Ontario context the use of the designation "employment equity" as an umbrella term describing the full range of the government's equality initiatives has been established.

Employment equity is used to describe a planning and implementation process which includes specific proactive initiatives directed at changing representation within and across occupational groups.

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Chapter Two

An Overview of Employment Equity

- an introduction to the manual

An Overview of Employment Equity

The manual is designed as a guide to the processes involved in developing and implementing an employment equity program.

This format takes into account:

– the dynamic nature of the external and internal climates,

– the need to identify and address actual problems and issues within an organization,

– the need for structures and strategies which conform to existing decision-making patterns within the organization,

- the need to establish priorities based on a realistic assessment of the problems and available resources,

- the need to direct activities toward specific and explicit goals,

- the need to monitor progress and evaluate and adjust plans.

While the processes are presented in a logical sequence, this does not imply that the practitioner must proceed through these steps in lock-step fashion. One must exercise judgement and ingenuity in establishing priorities for action. As an example: In a municipality, an employment equity practitioner became aware of hirings to take place in a job category in which women were not represented. Such vacancies rarely occurred so she chose to direct her efforts to recruiting women into these positions despite the fact that the equity program was in an early stage of development. Her success established credibility for the program.
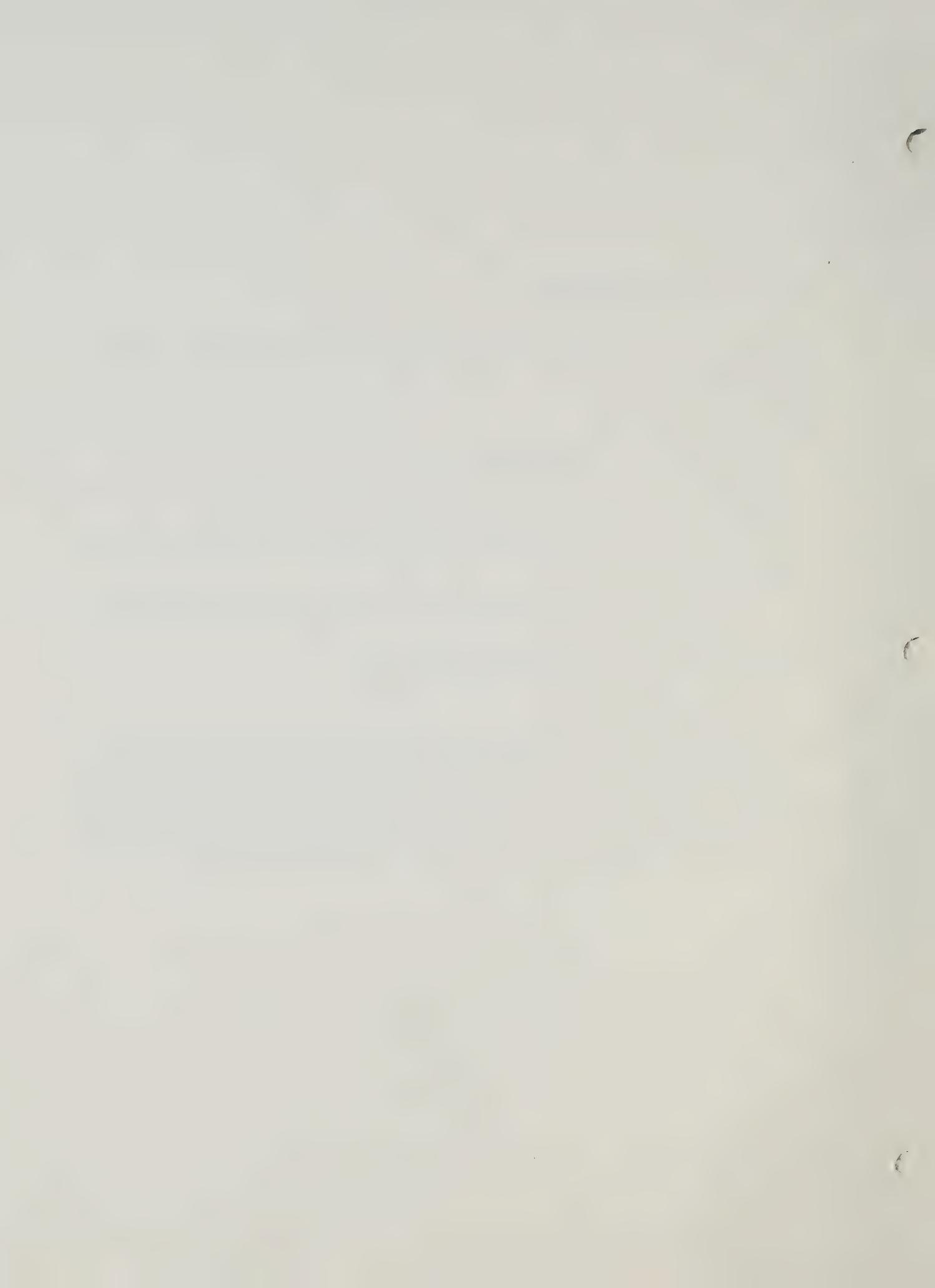
Stage I   **Identifying the Issues**

- External climate
- Internal climate
- What jobs do women hold compared with men?
- What is the comparison in pay between the sexes?
- Is there systemic discrimination?

Stage II   **Developing an Approach**

- What type of approach would be most appropriate in our organization?
- What activities should go into the plan?
- What systems need to be developed?
- How should this be integrated with other activities?

Stage III **Implementing the Plan**

- What financial and human resources are required?
- How should the program be communicated?
- Where will responsibilities and accountabilities rest?

Stage IV **Monitoring and Evaluating**

- Are the information systems providing what is necessary?
- What should go into the annual report?
- How effective have the special activities been?

STAGE ONE: IDENTIFYING THE ISSUES

ACTION COMPONENTS   **INFORMATIONAL OUTPUTS**

Assess External Requirements and Clients	Compliance status Economic indicators Demographic profiles

Examine Internal Climate and Equity Status	Attitude Survey results Decision making profiles Planning systems Financial position

Conduct a Workforce Analysis	Areas of concentration Career paths

Carry out a Job Groups Analysis	Identification of Under-representation

Analyze Employment Systems	Adverse Impact Statistics Quantitative Information	Equity Audit Report

Review Job Evaluation and Salary Administration Systems	Pay Disparities Benefit Inequality

Establish Availability Standards	Under-representation Target Development

STAGE TWO: DEVELOPING AN APPROACH

ACTION COMPONENTS   **OUTPUT**

| Establish an Employment Equity Stance |

| Identify Appropriate Strategies |

| Employment Equity Plan |

| Establish Goals and Timetables |

| Allocate Responsibilities |

| Provide Direction |

| Develop/Consolidate Systems |

STAGE THREE: IMPLEMENTING THE PLAN

ACTION COMPONENTS   **RESULTS**

Put in Place A Communications Strategy	Well Informed Staff Climate Change

Managers Implement Planned Initiatives	Management Ownership and Commitment

Ensure Appropriate Resource Allocation	Capability to Succeed

Initiate Education and Training	Changes in Attitudes and Behaviour

Issue and Implement Guidelines on Bias-Free • Staffing • Promotion • Transfers • Evaluation	Compliance Enhancement of human resources management practices

Integrate With Other Systems	Inclusion in Corporate Planning Performance Management Information Systems Reports

STAGE FOUR: MONITORING AND EVALUATING

ACTION COMPONENTS   **OUTPUTS/RESPONSES**

Review Managerial Performance	Document Managerial Initiative and Reward successes

Examine Information Systems Feedback	Results-oriented Reports

Document Overall Performance	Interim and Annual Reports

Assess Climate Change	Surveys Discrimination Index Job satisfaction

Review Special Measures Impact and Current Need	Opportunity Index Adverse Impact

Carry Out A Plan Assessment	Plan enhancement and revision

STAGE ONE: IDENTIFYING THE ISSUES

ACTION COMPONENTS

INFORMATIONAL OUTPUTS

| Assess External Requirements and Clients | Compliance status
Economic indicators
Demographic profiles |

| Examine Internal Climate and Equity Status | Attitude Survey results
Decision making profiles
Planning systems
Financial position |

| Conduct a Workforce Analysis | Areas of concentration
Career paths |

| Carry out a Job Groups Analysis | Identification of Under-representation |

| Analyze Employment Systems | Adverse Impact Statistics
Quantitative Information |

| Review Job Evaluation and Salary Administration Systems | Pay Disparities
Benefit Inequality |

| Establish Availability Standards | Under-representation
Target Development |

Equity Audit Report

Chapter Three

Assessing The External Climate

- legal
- political
- economic
- demographic

THE EXTERNAL CLIMATE

A number of external considerations must be taken into account by the employer when formulating an employment equity position and developing a plan. These fall into four areas - legal, political/social, economic, and demographic.

Before going into detail a brief overview of the key questions in each area will set the stage.

Legal:
1. What employment laws are you subject to?
2. What implications does the law have for your organization?
3. What are the significant issues and landmark cases?
4. What are the future directions?

Political/
Social:
1. What is the political/social climate in the community vis-a-vis affirmative action?
2. What is the climate of the province in regard to employment equity?
3. Are any particular groups likely to focus on your organization?

Economic:
1. What is the general economic outlook in Ontario?
2. How is this going to affect the labour market?
3. What is the position of women in regards to the economy?
4. What is the outlook for your segment of the economy?

Demographic: 1. What general trends are likely to be of interest?

The responses to these questions will assist the organization in identifying the state of the external environment. The information can also be used to add to the knowledge-base of managers so that they can better appreciate some of the organization's employment equity initiatives. This analysis forms the framework for the individual organization's unique response to its own equity concerns.

THE LAW

What is discrimination?

The concept of employment discrimination may be defined in a number of ways:

- *"overt", "direct", "intent", discrimination*, are all terms used to refer to prejudice or ill-will of an employer which directly impacts on a member(s) of a group protected under human rights legislation

- *unequal treatment* refers to employers who treat one group differently than another

- *"systemic", "indirect", "institutional, "constructive"*, discrimination refers to practices or systems which appear to be neutral on the surface but which operate to exclude or limit members of groups protected under the legislation for reasons which are not job related or required for safety or efficient business administration

In recent years there has been movement away from having to prove *intent* and more emphasis on the *results* of discrimination. This is reflected in the law's recognition of systemic or indirect discrimination.

Employment Equity: What Laws are you Subject To?

As an Ontario employer you must comply with the:

Ontario Human Right Code
Employment Standards Act
Occupational Health and Safety Act

As of June, 1985 legislation has been tabled requiring all federal contractors with contracts in excess of $200,000 to comply with federal employment equity.

The Equality Rights section 15(1) and (2) of the Charter of Rights applies to individuals and their relationships with governments.

A. The Ontario Human Rights Code

The Ontario Human Rights Code was first enacted in 1962 and was a consolidation of various anti-discrimination provisions which had existed previously in Ontario. The Ontario Human Rights Commission is responsible for investigating complaints and enforcing the Human Rights Code. The Code provides that every person has a right to freedom from discrimination in a number of areas on various grounds.

The Ontario Human Rights Code

Areas Covered	Prohibited Grounds
• services, goods, facilities • accommodation • contracts • employment • membership in vocational associations and trade unions	• race • ancestry • colour • ethnic origin • citizenship • creed • sex • handicap • age (18-65 employ.) • marital status • family status • the receipt of public assistance • record of offences

The following types of discrimination are prohibited:

Direct Discrimination

Discrimination because of Association

Constructive Discrimination

The Ontario Human Rights Code, 1981 also prohibits harassment in employment and sexual harassment.

Under Section 13 of the Code, Special programs including Affirmative Action/Employment Equity programs are permitted. A "special program" is defined as a program:

• designed to relieve hardship or economic disadvantage; or

• designed to assist disadvantaged persons or groups to achieve or attempt to achieve equal opportunity; or,

• that is likely to contribute to the elimination of discrimination prohibited by the Code.

The Commission many not review a special program established by the provincial government, its ministries or other agencies.

The Code makes it a condition of every government contract that no employment discrimination shall be practiced in the course of performing the contract.

More specifically the Ontario Human Rights Code contains the following section which relates to employment.

Section 4(1) Every person has a right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, record of offences, marital status, family status or handicap.

"Equal treatment" covers:

recruitment
hiring
training
transfer
promotion
apprenticeship terms
dismissal
layoffs

• *Employment advertising* may not directly or indirectly classify or indicate qualifications on the basis of any prohibited ground

• *Application forms* or written or oral enquiries may not classify or indicate qualifications on the basis of any prohibited ground (see guidelines which follow)

• *Interviews* must not be conducted in such a way as to ask questions on a prohibited ground. (see guidelines which follow)

• *Employment agencies* will not, and may not discriminate even when asked to do so

• *Hiring and employment benefits.* Employment must not be conditional on enrolment in employee benefits, pension or superannuation fund if exclusion or condition is based on a prohibited ground

• *Union Membership.* Every person has a right to equal treatment with respect to membership in any trade union, trade, or occupational association or self-governing profession without discrimination on a prohibited ground

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QUESTIONS ON EMPLOYMENT APPLICATION
FORMS AND AT EMPLOYMENT INTERVIEWS

The Human Rights Code, 1981 is intended to promote equal employment opportunity regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, record of offences, marital status, family status or handicap.

The Human Rights Code prohibits the use of an employment application form or a "written or oral inquiry...that directly or indirectly classifies or indicates qualifications by a prohibited ground of discrimination." This is a transcription of a substantially similar provision of the old Code. However, the expansion of the mandate of the new Code to include, in particular, family status, record of offences and handicap as prohibited grounds of discrimination, means that this provision has an extended application.

In general, human rights legislation is based upon the principle that employment decisions should be based on criteria relating to the applicant's ability to do the job in question rather than on factors that are unrelated to job performance. On the other hand, the Code recognizes the legitimate right of employers to obtain the most qualified and suitable candidate for a particular job. It is therefore an advisable practice for employers to ask only those questions on application forms which relate to job requirements, and not questions which contravene the Code or may constitute evidence of unlawful discrimination in the event that a complaint is filed. For example, instead of asking for an applicant's age or date of birth, which is a contravention of the Code, it is permissible to ask whether the applicant is between 18 and 65 years of age.

Instead of asking whether an applicant has, or plans to have, children, it is advisable to ask if the applicant is free to travel or relocate.

The chart that follows is intended to illustrate the type of questions that are appropriate or inappropriate on employment application forms and at personal employment interviews in typical circumstances. It does not purport to be exhaustive.

It is the practice of the Ontario Human Rights Commission to assist employers in determining their rights and obligations with respect to employment advertisements, application forms, etc. In such cases, the Commission has indicated its approval or disapproval of proposed advertisements and application forms. Employers are invited to contact the nearest office of the commission.

ONTARIO HUMAN RIGHTS COMMISSION, INTERVIEW GUIDELINES

CATEGORY	QUESTIONS ON APPLICATION FORMS		QUESTIONS AT PERSONAL EMPLOYMENT INTERVIEWS	
BIRTHPLACE ANCESTRY, ETHNIC ORIGIN PLACE OF ORIGIN	APPROPRIATE	Nil (see footnotes 1 & 2)	APPROPRIATE	A special interest organization[2] serving people identified by a prohibited ground of discrimination may inquire about such status if having that status is a genuine and reasonable requirement for the job in question. (see also footnotes 1 and 2)
	INAPPROPRIATE	Inquiries which would elicit information about these or related subjects		
			INAPPROPRIATE	All other inquiries
SEX, MARITAL STATUS, FAMILY STATUS	APPROPRIATE	Applicant may be asked about ability to travel or relocate if information is relevant to the job in question. Applicant may be asked to specify how he or she wishes to be addressed. (see footnotes 1 and 2)	APPROPRIATE	Inquiries about sex or marital status may be made only if sex or marital status is a genuine and reasonable qualification for the particular job. An applicant may be asked his or her relationship to other employees if the employer has nepotism or anti-nepotism policy regarding spouses, children or parents of the employer or an employee. (see also footnotes 1 and 2)
	INAPPROPRIATE	Categories and inquiries as to: height and weight; married; divorced; commonlaw; single; separated; maiden or birth name; asking applicant to select one of Mr., Miss, Mrs. or Ms; children or dependents; child care arrangements; child bearing plans; pregnancy; birth control; information about spouse (e.g. is spouse subject willing to transfer); second incomer; insurance beneficiaries; relationship of person to be notified in case of emergency.	INAPPROPRIATE	All other inquiries including those prohibited on application forms.
			NOTE	Inquiries about sex, marital status or dependents which are pertinent to an employee superannuation, pension or insurance plan may be made after hiring.

CATEGORY	QUESTIONS ON APPLICATION FORMS		QUESTIONS AT PERSONAL EMPLOYMENT INTERVIEWS	
AGE (18-65)	APPROPRIATE	"Are you between 18 and 65." (see footnotes 1 and 2)	APPROPRIATE	Inquiries about age may be made only if the age of the applicant is a genuine and reasonable qualification for the particular job. (see footnotes 1 and 2)
	INAPPROPRIATE	Inquiries about age, date of birth, or request for birth or baptismal records.		
			INAPPROPRIATE	All other inquiries.
			NOTE	After hiring, the employee may be asked for proof of age, and inquiries may be made about age which are relevant to an employee superannuation, pension or insurance plan. Inquiries about age which are not related to the job or legitimate personnel purposes are inappropriate.
RACE, COLOUR	APPROPRIATE	Nil (see footnotes 1 and 2)	APPROPRIATE	Nil (see footnotes 1 and 2)
	INAPPROPRIATE	Inquiries which would elicit information about race or colour, such as physical characteristics — colour of eyes, hair; height and weight, or photographs.	INAPPROPRIATE	See under application forms.
RELIGION, CREED	APPROPRIATE	Nil (see footnotes 1 and 2)	APPROPRIATE	Inquiries about leave of absence required for religious observances.
	INAPPROPRIATE	Inquiries about religious affiliation, churches attended, religious holidays, customs observed, willingness to work on a specific religious holiday.	INAPPROPRIATE	See under application forms.

CATEGORY	QUESTIONS ON APPLICATION FORMS		QUESTIONS AT PERSONAL EMPLOYMENT INTERVIEWS	
CITIZENSHIP	APPROPRIATE	"Are you legally entitled to work in Canada?" (see footnotes 1 and 2)	APPROPRIATE	See under application forms, except that inquiries may be made about Canadian Citizenship if:
	INAPPROPRIATE	Inquiries about and categories such as Canadian citizen landed immigrant; permanent resident, native born naturalized; date citizenship was received; citizenship of parent spouse.		• Canadian citizenship is required by law for the particular job; • Canadian citizenship or permanent resident status is required to foster participation in cultural, educational, trade union or athletic activities by Canadians or landed immigrants; or • the position is a chief or senior executive position and the organization requires a holder to be a Canadian citizen or to be domiciled in Canada with the intention to become a Canadian citizen. (see also footnotes 1 and 2) An applicant may be asked to provide proof of eligibility to work in Canada.
			INAPPROPRIATE	See under application forms, except as noted above.
EDUCATION	APPROPRIATE	Job-related inquiries such as: grade/level completed; degree diplomas/level obtained; course(s) of study.	APPROPRIATE	Job-related inquiries designed to determine the merits of an applicant's qualifications, including verification of educational background.
	INAPPROPRIATE	Inquiries about name and location of elementary school.	INAPPROPRIATE	Inquiries designed to elicit information about any prohibited ground of discrimination.

CATEGORY	QUESTIONS ON APPLICATION FORMS		QUESTIONS AT PERSONAL EMPLOYMENT INTERVIEWS	
RECORD OF OFFENCES (see footnote 3)	APPROPRIATE	Inquiries as to whether an applicant has ever been convicted of a criminal offence for which a pardon has not been granted. Inquiries to determine whether an applicant is bondable if this is a genuine and reasonable qualification for the job.	APPROPRIATE	Inquiries about a record of offences including verification of pardon may be made if the nature of the particular job makes the absence of a record of those particular offences a genuine and reasonable qualification for the job. (see also footnotes 1 and 2)
	INAPPROPRIATE	Inquiries as to whether an applicant has ever been convicted for any offences; has ever been arrested or charged with any offence; has ever spent time in jail.	INAPPROPRIATE	Inquiries about record of offences which are not job-related.
HANDICAP	APPROPRIATE	Nil (see footnotes 1 and 2)	APPROPRIATE	Inquiries or medical examination which are directly related to an applicant's ability to perform the essential duties of the job. (see also footnotes 1 and 2)
	INAPPROPRIATE	Inquiries about: health; handicaps; physical defects; illness; mental disorder; impairment or retardation; medical history; learning disability; injuries or Workmen's Compensation claims; medication; membership in Alcoholics Anonymous. Requirements that applicants undergo pre-interview medical examinations.	INAPPROPRIATE	Medical exminations or inquiries about health which are not directly job-related may constitute evidence of unlawful discrimination.
			NOTE	Genuine and reasonable inquiries about handicap that are pertinent to legitimate personnel purposes, such as relating to superannuation, pension disability, life insurance or other benefit plans may be made after hiring. However, exclusion from such plans may not be used as a reason for denying employment.

CATEGORY	QUESTIONS ON APPLICATION FORMS		QUESTIONS AT PERSONAL EMPLOYMENT INTERVIEWS	
REFERENCES AND MEMBER- SHIPS IN ORGANIZ- ATIONS	APPROPRIATE	Nil (see footnote 2)	APPROPRIATE	Nil (see footnote 2)
	INAPPROPRIATE	Inquiries should not be made as to memberships in organizations identified by any of the prohibited grounds of discrimination. Applicants should not be required to provide references that would identify his or her religious affiliation.	INAPPROPRIATE	Inquiries should not be made which would elicit information about any of the prohibited grounds. (see also footnotes 1, 2, and 3)

1.	Special Interest Organizations	A religious, philanthropic, educational fraternal or social institution or organization that is primarily engaged in serving the interests of persons identified by a prohibited ground if discrimination is allowed to give preference in employment to persons similarly identified, if the qualification is a reasonable and genuine one because of the nature of the employment. Inquiries about such affiliation may be made at the employment interview stage. For further information, contact the nearest office of the Human Rights Commission.
2.	Special Programs	Employers may implement special programs designed to relieve hardship or economic disadvantage or to assist disadvantaged groups to achieve equal opportunity. An employer who wishes assistance in the development of such a program or who wants to know whether a proposed program meets the requirements of the Code may make application to the Commission. The Commission will then review the program and, if it meets the requirements of the Code, make a declaration to this effect. For further information, contact the nearest office of the Commission.
3.	Record of Offences	"Record of offences" means a conviction for: (i) an offence under a federal statute (for example, the Criminal Code for which an unrevoked pardon has been granted under the Criminal Records Act); or (ii) an offence under an Ontario statute (for example, the Highway Traffic Act).
	Note	It is the practice of the Human Rights Commission to assist employers in determining their rights and obligations with respect to advertisements, employment application forms, etc. In such cases, the Commission has indicated its approval or disapproval of proposed advertisements and application forms. Employers are invited to contact the nearest office of the Commission.

B. The Employment Standards Act

The Employment Standards Act covers three areas of interest as far as employment equity is concerned. These are:

- equal pay
- fringe benefits
- pregnancy leave

Equal Pay

The current legislation in Ontario provides for equal pay for work that is substantially the same performed in the same establishment, which requires the same skill, effort, and responsibility and is performed under similar working conditions, except where there is:

a) a seniority system
b) a merit system
c) a system that measures earnings by quantity or quality of production; or
d) a differential based on any factor other than sex

Fringe Benefits

Under Section $\overline{X}$ of the Employment Standards Act a differentiation in pension and life insurance plans, long and short-term disability (including health and dental plans) is prohibited on the grounds of age, sex, or marital status. However, some exceptions exist based on actuarial projections.

Pregnancy Leave

- Employees may not be fired for pregnancy.

- The employee is entitled to a flexible 17 week unpaid leave of absence.

- Employees with one year and 11 weeks of service are eligible for leave.

- The leave of absence may begin 11 weeks before the expected date of birth.

- The pregnant employee has the right to return to the same job without loss of seniority or benefits and at the same rate of pay.

- Outside the pregnancy leave period pregnant women are entitled to all benefits covering sickness and disability regardless of whether this is due to complications of pregnancy or other illness.

C. The Occupational Health And Safety Act

This legislation protects all workers from health and safety hazards.

Workers may refuse to perform work they believe to be hazardous.

Other Jurisdictions

It is useful to have knowledge of human rights and employment legislation in other jurisdictions.

Canada (Federal):
- Canadian Human Rights Act

- Canada Labour Code

  Applies to Federally-regulated employers. With contract compliance, federal equity employment legislation could apply to provincial employers as well.

- Canadian Bill of Rights

- The Canadian Charter of Rights and Freedoms. Applies to relationship between individuals and government. Could have a significant impact on provincial laws with a ripple effect to employer practices. (e.g. insurance and pension plans on the basis of sex).

"Section 15 (1.) Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability.

Section 15 (2.) Sub-section one does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability.

Section 28 Notwithstanding anything in this Charter, the rights and freedoms referred to in it are guaranteed equally to male and female persons."

United States: • Civil Rights Act, 1964

                 • Title VII, Civil Rights Act/Equal Employment Opportunity Act, 1972

                 • Executive Orders

International: • Universal Declaration of Human Rights

                 • Declaration on the Elimination of Discrimination Against women

                 Both declarations apply to states parties to the International Covenant on Human
                 Rights. Canada is a signatory.

                 • International Labour Organization has various covenants, which Canada ratified, most
                   relevant is the one on equal pay for work of equal value.

WHAT ARE THE IMPLICATIONS OF THE LAW?

The law provides the foundation for an employer's equity initiatives. Compliance with the law is both an employer responsibility and necessity. The following provides some indication of the law's potential impact.

The Application of the Law: An Exercise

Questions

1. A Vice-President has decided that only employees already in senior management positions may attend the executive training program. As Employment Equity Director how do you respond?

2. A Transportation Manager for the school bus fleet has just interviewed a female candidate and inquired about her driving record? Do you feel this constitutes a problem?

3. The organization has just experienced its first sexual harassment complaint. In defending itself it wishes to declare that it could not be held responsible for this particular manager's actions. What is your advice?

4. You have determined that there is a discrimination problem affecting women's access to management positions and wish to introduce a special inventory search process which would flag potential female candidates. Are there any problems with this under the law?

5. You wish to set up a statistical monitoring system to track women's progress in your organization. Is this in compliance with the law?

6. Your President finds his golf club is a good place to discover potential managers. How would you advise him on this?

7. The University has developed an early retirement package which actuarially establishes a lesser monthly pension benefit for women. Is this legal? Is it desirable?

Answers

1. If there are no women already in senior management a criterion such as this could constitute systemic discrimination.

2. Questions may not be asked which relate to a prohibited ground. Asking a female about a driving record when safe driving is a critical job requirement is not discriminatory, providing this inquiry is made of *all* applicants.

3. Employers in most situations are responsible for acts of discrimination at work. Managers and supervisors have a responsibility to keep the workplace discrimination-free.

4. Special programs are permitted under Ontario law. If there are any concerns about a particular component consult the Ontario Human Rights Commission.

5. Statistics may be kept as long as they are not used for discriminatory purposes. Advice on how to record data to ensure its proper use may be obtained from the Ontario Human Rights Commission.

6. This type of selection practice may seriously limit the candidacy and therefore would constitute systemic discrimination.

7. Early retirement packages which produce lower benefits for women on the basis of actuarial tables are presently legal. However with the current equity trends their desirability is questionable.

WHAT ARE THE SIGNIFICANT LEGAL ISSUES AND LANDMARK CASES?

A number of cases in the United States have probably attained greater exposure in Canada than their Canadian counterparts. However, with the coming into force of Section 15 of the Charter and with several high profile cases here recently, there is likely to be a shift in attention. The American decisions, while not necessarily compatible with Canadian jurisprudence, have had a significant impact on Canadian employer preceptions and the development of the Canadian as well as the American approach to equity programs. Some of these cases related to racial discrimination but the principles are applicable generally.

Intent vs. Disparate Impact

The three main proofs of discrimination are evil intent, differential treatment and disparate impact. The principle cases examining these have been the Griggs case in the United States and the Bhinder and Theresea O'Malley cases in Canada. A brief review of these and other cases follows. The issue is critical to the employment equity field since the definition of discrimination rests on the outcome and on this in turn, rests the organizational behaviour which will, and will not, be permitted legally.

The case which was most influential on the American employment scene was **Griggs vs. Duke Power Company.**

The questions raised in this case were the following:

Can a high school education or passing a generalized intelligence test be used as a condition of employment for transfer when:

a) neither standard is shown to be job related
b) both requirements impact more negatively on blacks
c) the jobs in question were previously always filled by whites

The Supreme Court concluded:

"The Act (i.e. Title 7) proscribes not only overt discrimination but also practices that are fair in form, but discriminatory in operation. The touch stone is business necessity. If an employment practice which operates to exclude Negroes cannot be shown to be related to job performance, the practice is prohibited. On the record before us, neither the high school completion requirement nor the general intelligence test is shown to bear a demonstrable relationship to successful performance of the jobs for which it was used.

The Court importantly also concluded that:

"But Congress directed the thrust of the Act to the *consequences* of employment practices, not simply the motivation. More than that, Congress has placed on the employer the burden of showing that any given requirement must have a manifest relationship to the employment in question.

The Case of **Griggs vs. Duke Power Company**

- established consequences, not just intent as evidence of discrimination

- required that tests be job related

- provided general definition of text

- placed an onus on the employer to substantiate job-relatedness

In Canada one Board of Inquiry in Ontario in **Jones and Wilkinson vs. Huber** (July 27, 1973), commented:

"It matters not what the motivating reason for a racially discriminatory act is. Although motive may be an important factor with respect to the question of redress, it cannot justify the offensive behaviour."

However, other Canadian Boards have argued that intention or motive must also be documented. (**Britnell vs. Brent Personnel Placement Services**, June 7, 1968 under the Age Discrimination Act.)

More recently the case of **Canadian National Railway vs. Canadian Human Rights Commission and K.S. Bhinder** addressed the question of intent. In 1981 a Canadian Human Rights Tribunal found

that Canadian National had discriminated against Mr. Bhinder on the grounds of religion by requiring him to wear a hard hat as a condition of continued employment. The Tribunal did not impute intent but held that the requirement was discriminatory and that the safety hat was not a bona fide occupational requirement. It did not impact on his job performance and not wearing the hat did not place at risk his fellow employees or the public.

The tribunal decision was appealed to the Federal Court of Appeal which examined two major issues:

1. Did unintentional discrimination have any basis in the Canadian Human Rights Act's definition of discrimination?

2. Under the circumstances did the safety hat requirement constitute a bona fide occupational requirement?

The majority opinion of the Court of Appeal held that there was no basis for unintentional discrimination in the legislation. The minority also could see no basis for "adverse impact" or unintentional discrimination in Section 7 of the Act but held that the phrase "deprives or tends to deprive" in Section 10 was aimed at results and not solely at intent. Mr. Justice LeDain noted that identical wording was used in the 1964 U.S. Civil Rights Act and that this was interpreted in the Griggs case and the meaning of discrimination extended to include "adverse effect".

Although the Court did not have to consider the issue of the safety hat as a bona fide occupational requirement, having already determined that there was no intent to discriminate, they did so and ruled in favour of C.N.

In the case of the **Ontario Human Rights Commission and Theresea O'Malley vs. Simpson-Sears Ltd.** the Ontario Court of Appeal held that under the Ontario Human Rights Act, intention to discriminate was an essential requirement before it could be said that an employee was discriminated against because of that employee's creed.

In a summary of human rights legislation in Canada in 1976, A. Hunter extracted a definition of discrimination from the decisions to date. He concluded that:

> "... discrimination means treating people differently because of their race, colour, sex etc. as a result of which the complainant suffers adverse consequences, or a serious affront to dignity; the motive for the discriminatory treatment, whether occasioned by economic or social considerations and whether those considerations are soundly or fallaciously based, is irrelevant, except possibly on mitigation of the penalty. Identical treatment is not necessarily synonymous with equal treatment because discriminatory results, offensive to the spirit of human rights legislation, may occur if identical treatment is suddenly imposed on those who cannot effectively use it due to past patterns of prejudice and exclusion".

> With the recent decisions, the legal interpretation of discrimination in Canada is still not completely clear. The federal cases to be heard this year will be critical in clarifying this issue.

Bona Fide Occupational Qualification/Requirement (BFOQ-BFOR)

In the United States the BFOQ has been used most often in trying to justify restrictions based on sex. In the early years of Title VII (i.e. U.S. non discrimination legislation) the decisions seemed to be in accord with the traditional view of women's roles - i.e. some jobs were simply "not for women". However, in **Weeks vs. Southern Bell Telephone and Telegraph Company,** the denial of a switchman's job to a woman because it was "strenuous" and required the regular lifting of 30 pounds was found unlawful. A similar decision was issued in **Bowey vs. Colgate-Palmolive.** Here the issue was whether women should be restricted from jobs requiring the lifting of more than 35 pounds. The court found that restrictions should be on an individual basis.

In Canada, in the **Ontario Human Rights Commission et al vs. Borough of Etobicoke,** the Supreme Court of Canada detailed a test an employer must use in legitimizing a BFOR exception.

> "To be a bona fide occupational qualification and requirement, a limitation, such as a mandatory retirement at a fixed age, must be imposed honestly, in good faith, and in the sincerely held belief that such limitation is imposed in the interest of the adequate performance of the work involved with all reasonable despatch, safety and economy, and not for ulterior or extraneous reasons aimed at objectives which could defeat the purpose of the Code. In addition it must be related in an objective sense to the performance of the employment concerned, in that it is reasonably necessary to assume the efficient and economical performance of the job without endangering the employee, his fellow employees and the general public."

In **Action Travail des femmes vs. Canadian National** the former alleged systemic discrimination against women applying for non-traditional jobs. One of the requirements for a brakemen's job required candidates to lift an 83 pound coupling device and carry it over 80 feet. This and a wide range of hiring practices were found by a human rights tribunal in August, 1984 to constitute systemic discrimination. CN contested the authority of the Tribunal before the Federal Court of Appeal to require specific quotas and reporting requirements. The Federal Court of Appeal upheld the Tribunal finding of discrimination. They ruled that the Commission had exceeded its authority in requiring a quota. The Canadian Human Rights Commission is appealing the case.

Preference, Special Initiatives, "Reverse Discrimination"

It is important to note at the outset that the Ontario Human Rights Code permits special programs and therefore "reverse discrimination" is not a viable construct in the Ontario milieu. Several well publicized American cases brought this issue extensive publicity on both sides of the border in the late 1970's.

In **Regents of the University of California vs. Bakke** the court ruled that the special admissions program was discriminatory towards a white male. However, in the significant employment case **United Steelworkers of America vs. Weber** the court upheld the equitable nature of the special training plan for racial minorities, its temporariness and remedial design and the fact that white workers were not harmed by the plan.

Equal Pay for Work of Equal Value

Several prominent cases in the United States have looked at the issue of comparable worth i.e. whether the law covers equal pay for work of equal value. In Canada under federal jurisdiction the equal value concept has been established in law. The same is true in Quebec. In the other provinces cases have been heard under equal pay for equal work.

Under-utilizaton

The Secretary of Labour in the United States in reviewing the case of Firestone Tire and Rubber stated that under-utilization could be found even when the numerical evidence supporting that conclusion did not reach a standard accepted level of statistical significance.

This position was rejected by a federal district court in **Firestone Synthetic Rubber and Latex vs. Marshall** based on the court's conclusion that the Secretary's decision relied on a definition of under-utilization contained in an OFCCP compliance manual which had not been published in accordance with requirements of the Federal Administrative Procedure Act. Regulation 60 - 2.1 established that, in the absence of compelling circumstances, an establishment will be presumed to have reasonably utilized minorities and women where their employment is at least 80 percent of their availability.

In Canada this issue is just coming into the forefront with **Action Travail des Femmes vs. CN** and with federal employment equity legislation. Standards will have to be established which will raise similar issues to those faced in the United States.

There have been many other cases in the United States contesting a variety of human rights and affirmative action concepts. It is important to keep abreast of landmark cases on both sides of the border. The legal outcomes will definitely shape future employment equity programs.

FUTURE DIRECTIONS

Section 15 of the Charter of Rights and Freedoms will undoubtedly provide the basis for considerable litigation. Age of retirement and discrimination in benefits plans are two areas of provincial law and business practice which may see a change as a result of this.

Legislation relating to equal pay for work of equal value, contract compliance, the nature of ordered employment equity programs and standards are all areas which are currently under review, discussion or being actively planned in various jurisdictions.

Expanding the prohibited grounds is a continuing thrust.

Finally, the changes currently underway, the high profile legal cases, and the accelerated affirmative action thrust of government will all place more pressure on employers as well as increase the potential liability both in terms of fines and legal costs.

REDUCING EMPLOYER LIABILITY

• Ensure that managers in your organization are aware of human rights legislation and its implications.

• Develop an ongoing communications strategy for keeping managers up-to-date on the law.

• Ensure there is a review system to examine discriminatory impact of policies and programs.

• Ensure that a complaint handling procedure is in place to deal with complaints quickly, thoroughly, and fairly.

• Communicate a positive image to employees, clients, and the general public but make sure it is consistent with the reality.

POLITICAL/SOCIAL CONSIDERATIONS

What is the Political/Social Climate in the Immediate Community? What are the Implications?

The size and visibility of the employer, and the extent of the community's social awareness can impact positively or negatively on an employer's initiatives.

Monitoring the political/social element of the community can be done in a number of ways:

i)   Newspapers: Local newspapers and those of large urban centres who report on news province-wide provide one indicator of the prevailing climate. The tone of an article gives an indication of position while the extensiveness of the coverage, repeat coverage and placement in the paper generally indicate the importance attached to the subject.

ii) City Council meetings, Trustee meetings, speaker's forums, are all forums where members of the community discuss and debate issues relating to the status of women.

iii) Availability of programs and services for women: The type of program or service, its availability, its public support, and the resources attached to it, indicate the general perception and importance of women in the community.

iv) Positions held by women in the community: The presence of women in significant roles in the community indicates acceptance of the range of jobs which women can hold.

These are four indicators of a community's stance on equity matters. The community's position, like the employer's may be changed by provincial law or initiatives.

Knowledge of the community's political and economic stance can be used to structure a more effective, responsive program, and will inform decisions about the communication strategy to be used in that community.

FOR EXAMPLE:

Assistance plan
aimed at women
rejected by board

A plan to give women a better chance to become school principals has been rejected by the Catholic school board in Thunder Bay, Ont. An affirmative-action plan would "destroy the family unit," said Norris Badanai, a trustee on the Lakehead District Separate School Board.

"I've got a wife and six children. ...A women at home raising a family works harder than any damned women even in the classroom. Give me affirmative action for a housewife and I'll look at it," Mr. Badanai told a board meeting this week.

Trustee Marlene Piccolo said that even if more women were encouraged to assume senior positions with the board, most, in her opinion, don't want more responsibility at work.

But Mrs. Piccolo said the main reason she voted against the proposal was because it would mean creating a job for an affirmative-action policy co-ordinator — something she thinks the board can do without.

At the moment, the board has no women in top administrative positions, while all of its lower-paying administrative jobs are filled by women.

John Bird, assistant to the board's director, told the trustees, the plan would not mean imposing quotas on the number of women promoted.

The plan was simply to "give the girls a chance" by encouraging them to obtain the necessary qualifications he said. The proposal was turned down after five board members voted against it and five supported it.

Globe and Mail
March 13th 1985

Comment

- Since the Board is a public body it could be expected that these statements reflect the attitudes and position of the public it serves. The press article did not report the comments of those in favour. It also did not give an indication of the larger community's position or the position of other similar public employers in the community or in the province.

In developing the employer's plan it is important to be aware of the position of other employers in the community and the community in general. It is also critical to consider the provincial position and it's impact.

If the community climate is not supportive, a communication strategy should be developed to ensure that the need for, and the appropriateness of, the employment equity initiatives are understood.

What is the Political Climate in the Province?

The Government of Ontario has indicated its support of employment equity and has provided both funding and support services to assist employers in pursuit of that goal.

Press reports on the Charter, on federal equity legislation, on equal pay and on human rights in general have been extensive.

Changes to legislation are being considered (e.g. equal pay) which will strengthen its capacity to deal with discrimination.

The climate could generally be described as active, one of high profile with the possibility of even more activity in the future.

ACTION GROUPS

Groups external to the organization may demand an organizational response. Examples of pressure groups are — status of women group(s), equal pay groups, union groups etc.

It is useful to get input and feedback from such groups in order to ensure that you as an employer are receiving information from a cross-section of interest groups.

THE ECONOMY

Overview

In 1981 Canada entered an economic recession which has been termed the worst in 50 years. Economists in the late 1970's were projecting labour market demands for the decade of the 80's which would require significantly larger numbers of women and other groups to meet the skill shortages in high-growth industries. The situation in 1985 is totally different from that predicted.

The Economic Picture and Employment Equity

The Canadian economy is characterized by high unemployment, a weak dollar exchange, difficulties in various sectors of the economy, and a falling GNP. Employers are struggling to survive by reducing size and improving efficiency. The restructuring of organizations is significant and led Monica Townson, an economist, to conclude that "a high proportion of current unemployment is likely to be structural unemployment which will remain, rather than cyclical unemployment which will dissipate once output rises again." The approach and issues of employment equity in a no-or slow-growth economy are very different from those in a boom economy. There is a need for the employment equity practitioner to be in touch with economic realities and prepared to respond in appropriate ways .

The Ontario Manpower Commission indicated its appreciation of economic uncertainties when it requested the Institute for Policy Analysis at the University of Toronto to prepare three alternative macroeconomic scenarios for high, medium and low growth cases. The resulting report, "Labour Market Outlook for Ontario 1984−88" published in August 1984 presented job openings for a range of possible economic futures.

- In the low growth scenario job openings would fall short of the number of new entrants to the labour market in Ontario between 1984−88. In the medium and high growth scenarios, overall job openings would exceed new entrants.

- For university and college graduates and those with skilled training the employment outlook is positive. In the low growth scenario, job openings would almost match new entrants. In medium and high growth scenarios job openings are expected to significantly exceed new entrants.

- Job prospects for new entrants with neither post secondary nor specific vocational training over six months are not good. In the low growth scenario job openings would fall short of the new entrants. In the medium and high growth scenarios, the number of job openings would slightly exceed the number of new entrants. However, these workers would be competing with 70 percent of currently unemployed workers who have this level of qualification. *This is expected to have the most impact on women and youth.*

The highest growth in jobs by industry is in services and more specifically in Community, Business, and Personal Services.

In order to relate this to employment equity, let us assume that:
- there will continue to be a significant increase in women in the labour force;
- there will be some inroads in women's access to non-traditional jobs;
- women's unemployment will continue to be high;

- equity legislative initiatives will continue; and
- organizational restructuring will place greater value on human resources and more emphasis on human resource management.

There are positive employment equity steps which can be taken in a low growth economy. Below are a few suggested responses to specific actions which may occur.

Action: Staff Reductions

Impact	Potential Employment Equity Response
• "last hired, first fired" (usually affects women disproportionately)	• policies protecting women including a a representation formula applied to layoffs

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Action: Restructuring

Impact	Potential Employment Equity Responses
• loss of bridging jobs, developmental assigments; • fewer jobs in the hierarchy	• examination of impact on women • realignment based on equity concerns • special consideration for remaining jobs

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Action: Little Hiring (Internal Promotion Policies)

Impact	Potential Employment Equity Responses
• no opportunity to offset historic under-representation	• preferential outreach to enhance female representation in pool • preference on equivalent qualifications

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Action: Lower Promotional Rates

Impact	Potential Employment Equity Responses
• insufficient pool of women for fewer jobs	• accelerated programs for women • preference on equivalent qualifications

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Action: Wage Constraints

Impact

* maintenance of wage gap

Potential Employment Equity Responses

* structuring of salary increments based on current position in salary range
* examination and action on wage relationships between male and female jobs

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Action: Cutback on Training

Impact

* access to non-traditional jobs

Potential Employment Equity Response

* protection of selection of women for courses

Action: Early retirement

Impact

* negative effect on women's pensions

Potential Employment Equity Response

* elimination of this discrimination

Note: General responses such as job sharing might also be considered in a low growth economy.

The practitioner must bring to the attention of management the differing demands of employment equity in a low growth situation and encourage appropriate planning and action. Otherwise poor economic prospects could erase the equity gains already made and seriously affect future initiatives.

DEMOGRAPHIC ISSUES

Changes in the population profile can demand some fairly significant responses from the employer. Employers as a rule respond to current needs — e.g. the hiring of teachers and the building of schools to accommodate the post-war baby boom; the development of benefit plans for the traditional male-led, single income nuclear family. It is useful to monitor demographic changes through Statistics Canada publications. Four demographic changes with an employment equity impact are briefly outlined below:

i) the aging population: The Canadian and U.S. populations are rapidly aging, i.e., the percentage of the population at the upper end of the age spectrum is increasing. This will have a general impact on the economy affecting services, products, work environment, opportunities, and all aspects of people management. Its impact in a low growth economy will generate early retirement programs. Females have a longer life expectancy than males and the gap is increasing. With increased female labour force participation and with benefit plans that still discriminate against women, the overall effect of the aging population could be quite serious.

ii) the progress of the "baby boom generation" through the employment life cycle: The large cohort of post-war babies is reaching mid-life where employment competition is strongest. This group contains many of the first group of women moving through middle management levels. With fewer jobs in a tight economy and more people competing for those jobs, the progress of women could be expected to be more difficult.

iii) birth rate changes: There still exists a view that women represent a poor investment in employment due to child bearing. It is not documented to what degree the perception has changed with the falling birthrate. There have been some recent indications that some modification of the decline is taking place and is especially noted in the number of older first time mothers. The participation of mothers in the labour force has increased dramatically in recent years and with fewer children the opportunity to have continuity in employment is much greater.

iv) changes in family structure: There has been an increase in single parent families, in people living alone and in people living in other arrangements. The economic need of women in a single parenting situation is substantial and therefore both job access and job opportunity become more important to young women as well as to young men. A career is a necessity.

The four demographic issues cited have serious implications for human resources management in general and for employment equity in particular. Combined with the other external factors they provide an environmental profile which dictates the need for, as well as the position against, various employer initiatives.

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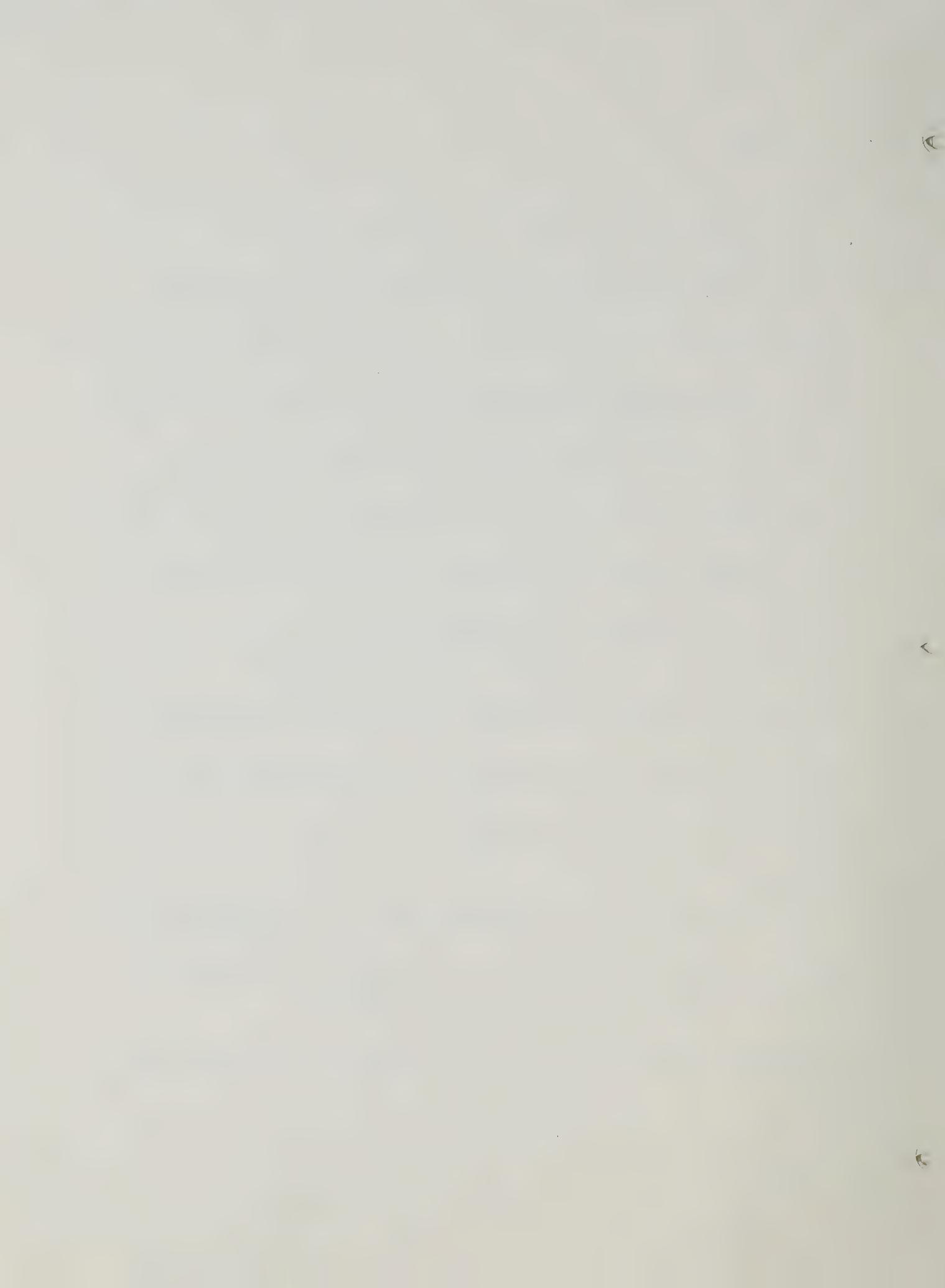
Chapter Four

Assessing the Internal Climate

- Climate and Organizational Health
- Management Planning and Accountability Systems
- Human Rights Vulnerability
- Political Dimensions
- Formal and Informal Authority Structures
- Formal and Informal Reinforcement Systems
- Human Resources Management Systems
- Organizational and Attitudinal Surveys

PREFACE

The external environment provides a societal framework within which organizations function. The internal environments of organizations vary greatly as well. These differences will influence the introduction, acceptance and success of new programs or initiatives. These factors affect the structure, resources, systems and other dimensions of the program being developed. The key variables focused on in an internal analysis are the following:

- organizational climate
- organizational health
- an overview of management planning and accountability systems
- organizational support for employment equity
- human rights vulnerability
- formal authority structures
- formal reinforcement systems
- informal reward systems
- informal structures
- human resource management systems

To understand the internal climate of organizations, it is necessary to undertake an organizational diagnosis. This consists of collecting and analyzing all of the relevant information in the areas cited above so that a profile of the organization emerges. Given this profile it is possible to arrive at some strategic decisions about the employment equity program, for example:

- the appointment of a coordinator
- the need for an equity committee
- the need for a formal employment equity program
- the equity stance of the organization
- the type of planning and accountability systems to be initiated
- the amount and type of resources allocated

The decision arrived at must be consistent with the internal environment of the organization. An inappropriate structure will greatly lessen the effectiveness of the equity program.

CLIMATE

Organizations vary greatly in their climate.

In diagnosing the climate, the practitioner can look at the following indicators:

- leadership style:
    democratic or autocratic
    formal or informal
    structured or flexible

- organizational stance:
  - conservative
  - entrepreneurial
  - risk taking
  - altruistic
  - dedicated to the status quo

- organizational structure:
  - hierarchical
  - flat
  - matrix

- organizational perception:
  - goal directive
  - market responsive
  - systems oriented

- organizational value system:
  - one guiding principle
  - diverse
  - not articulated

There are other variables which may be used to describe organizations. It is important for the practitioner to identify and evaluate key climate variables which have an impact on employment equity. It is then possible to address strategic concerns in a way which enhances the possibility of success.

ORGANIZATIONAL HEALTH

Organizations which are going through periods of restraint, downsizing, extensive reorganization have to be dealt with differently than those which are profitable, and growing or stable. In the case of public organizations the availability of necessary funding, acceptance of the organization's mandate, and stability present a different scenario than reduced funding, a changing mandate and flux.

The employment equity strategy must be adapted to these realities. Organizational health can be assessed under the following headings:

- revenue
- profitability or sufficient funding
- effective leadership
- morale and job satisfaction
- excellence of service or product
- overall performance

This information can be used to determine the resources which may be directed to employment equity, the types of programs which are likely to gain the greatest acceptance, and the areas where problems may arise.

MANAGEMENT PLANNING AND ACCOUNTABILITY SYSTEMS

Two basic questions are appropriate here:

i)   Is there a strategic planning system which both leads and integrates individual efforts?

ii) Is there an accountability system by which managers can be evaluated for their individual performance?

It is useful to determine how the planning system works and how it is perceived to work in the organization. The flow of information can provide an indication of where the power base is and what areas are deemed to be important. The employment equity plan can be fitted to the way the organization functions in these areas.

COMMITMENT TO EMPLOYMENT EQUITY

The active commitment of the most senior members of management is essential for any type of equity initiative. In addition there needs to be a broad support base for the program within the organization.

HUMAN RIGHTS VULNERABILITY

Organizations which have a number of human rights complaints particularly if those have received exposure in the press are likely to be more sensitive to equity issues. This can work both ways — the organization that resents the perceived intrusion of the law may be somewhat resistant to equity activities; on the other hand the organization which has a commitment to well managed human resources may view this as an indication that more is needed to achieve excellence in this area. Human rights vulnerability provides a definite indication of need for a program to counteract any problems of this nature.

POLITICAL DIMENSIONS

Who makes decisions and how power is distributed are important pieces of knowledge for the practitioner. The program must be situated to take advantage of political power and reduce the impact of counteractive forces.

Formal authority structures

Many organizations have complex procedures for authorizing activities and expenditures. It is important to be knowledgeable about these processes, in order to decrease the time between presentation and authorization, and to place the equity program in a position where it is not subject to too many levels of authority.

INFORMAL STRUCTURES

Power within organizations is not infrequently held by informal groups who perhaps control information, budget, have external connections, or other avenues to power. It is important to identify and use these informal structures in developing the support framework for the equity program.

FORMAL REINFORCEMENT SYSTEMS

The goals of the equity program should be reinforced both within the regular reinforcement system and given special status where appropriate. The program must be seen to be of the same magnitude of importance as other organizational initiatives.

INFORMAL REWARDS

In all organizations, managers are rewarded informally in less structured ways. If these are important in the overall motivation of managers then they have to be acknowledged as an element in the formation of the equity strategy.

The importance of the internal environment of the organization cannot be over-estimated in designing an equity program which will be accepted and have a fair chance of success.

HUMAN RESOURCE MANAGEMENT SYSTEMS

Organizations will vary greatly in the existence and sophistication of their human resource management systems. This feature of organizational structure and practice has a very significant bearing on the equity program and the way it is set up.

ORGANIZATIONAL SURVEYS

In small to medium-sized organizations, information needed to assess the internal environment can often be acquired through direct contact and observation. In large, widely-dispersed organizations, more formal methods may be necessary to achieve a comprehensive and accurate picture. Standard survey instruments are available or they can be designed for specific purposes. The design of a valid instrument requires skill and experience. The practitioner is referred to the Dunham and Smith publication on Organizational Surveys listed with the references at the end of the chapter.

ATTITUDINAL SURVEYS

The attitudes that people hold significantly influence their behaviour. On the other hand, the modification of behaviour may change attitudes. There has been controversy for a number of years about whether efforts should be directed at changing behaviour or attitudes. It seems evident at this stage that concerns about both attitudes and behaviour need to be addressed in order to have the greatest chance of success. It is asserted that changing attitudes requires a long period of time while changing behaviour can be done immediately. It appears that in some instances behavioural change may be superficial and in reality the underlying attitude is still intact and is still influencing the outcome. To examine this dynamic in more depth it may be appropriate to undertake an attitudinal survey.

An attitudinal survey can look at the different perspectives that different groups of people hold. In conjunction with outcome data the relationship between attitudes and behaviour can be examined. Strategies for changing attitudes include various interpersonal and group interventions which provide an opportunity to explore attitudes and assimilate new information.

Some of the key attitudinal issues in employment equity are captured in the following statements.

Sample: Employment Equity Attitudinal Issues

1. Women should have the same job opportunities as men.

2. Women are as well qualified for most jobs as men.

3. Women have a lesser commitment to the labour force than men.

4. Women have higher levels of absenteeism than men.

5. Women should receive equal pay for work of equal value.

6. Women are more emotional and therefore not as well suited to high stress jobs as men.

7. Women have home responsibilities which make then less valuable in the labour force.

8. Women are not appropriate in certain jobs e.g. sales of large equipment, prison guards, combat.

9. Women's leadership styles are different and therefore they would not fit in to the senior management group.

10. Women simply should not be in the labour force in a tight economy.

Variations on these themes can be developed and formulated in the specific organizational context.

Examples: (i) "Given declining enrolment what criteria should be put in place to reduce teaching staff:
— seniority,
— family responsibility,
— one spouse only?"

(ii) "Given a deficit situation should the organization implement equal pay for work of equal value?"

Background variables

Responses to the various questions are compared with a number of background variables so that more specific connections can be made. The background variables generally include:

- age
- sex
- position
- salary bracket
- organization experience
- labour force experience
- union affiliation

Other information may be solicited depending on the organization and its interests, for example, in a large geographic dispersed organization it is useful to identify the specific location.

The strength with which various attitudinal positions are held is also important since it implies that strongly held attitudes may be more difficult to change than those which evoke a moderate response.

Steps in undertaking an attitudinal survey

The steps necessary to initiate and follow through on an attitudinal survey are outlined in point form:

1. Identify the group(s) to be surveyed.
   If the main questions are around establishing policy direction then it may be most appropriate to survey senior management. The questionnaire or survey outline might pose questions about organizational responses as well as basic stances on equity. Where there is a very general interest then it is appropriate to look at employees at all levels.

2. A population or sample survey?
   The targeted group must be further defined. The percentage of the selected group surveyed may be very dependent on size. Where the group is very large then it is easier and more economical to use a sample.

3. The basic content must be decided upon and the questions selected.
   The survey content may cover a broad spectrum of equity issues or it may be confined to specific topics. The intent of the survey will define its scope.

4. Carry out a test run.
   By running a small test inappropriate questions may be discarded, other questions reworded, and other questions added.

5. Determine how the data will be analyzed.
   What kinds of correlations do you want to make?
   Is it possible to automate the scoring and analysis?

6. Establish the method of distribution.
   How can the survey be carried out in order to ensure the highest possible return rate? Timing is important in this regard as well as the reliability of various distribution methods. Which methods are used most effectively in your organization now?

7. Determine the final format.
   A well put together and easily read survey will elicit a much better response.

8. Send the survey out with a realistic return time.

9. Begin the analysis of the returned survey and carry through to a full report.

10. Feed back the information to those who participated and to all other key groups.

Attitudinal survey analysis provides another substantial piece of information which can be used to identify problem areas and to formulate an effective employment equity strategy.

The practitioner is cautioned to recognize that conducting a survey of this type may provoke negative responses, and utmost care should be taken with the manner in which it is introduced.

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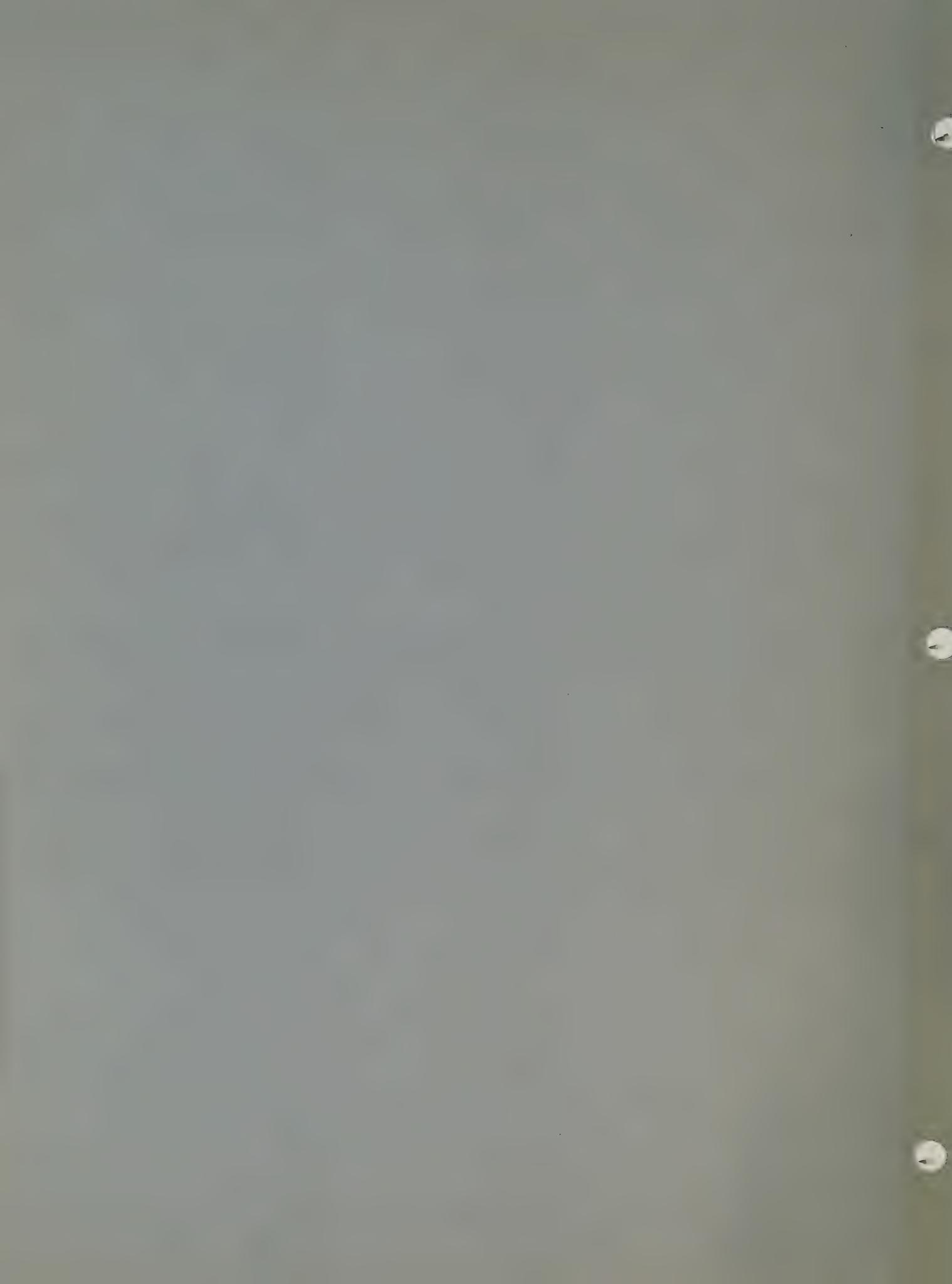
Chapter Five

Determining Equity Status

- Overview of an equity audit
- Under-utilization and concentration
- Accessing the data
- Workforce analysis
- Utilization analysis
- Transaction analysis
- Employment System analysis

PREFACE

Both in initiating an equity program and in reassessing the direction of an existing program, it is essential to have basic data which reveals:

- what, if any, inequities exist?
- what barriers to equality are present?
- what trends are seen to be developing?

This information will provide the basis for determining the nature of the equity program and the specific goals and activities needed.

While standard approaches to employment equity have been developing it is important that each organization select and modify activities according to the specific problems which have been identified, and the internal and external situation of that particular organization. Decisions for future change must be based on a detailed accurate picture of the present situation.

OVERVIEW OF AN EQUITY AUDIT

A comprehensive organizational audit has many components. The information is both quantitative and qualitative. Some of the information is presented in numerical form while other information is written and analyzed. The material which follows in summary form presents the various types of information and includes some points to address in the critical analysis.

A. QUANTITATIVE ANALYSIS — a complete statistical analysis of the employment process which includes -

1. *Workforce analysis/array* — a listing of each job title (as it appears on payroll records or collective bargaining agreements) ranked from lowest paid to highest paid within each department or unit. The salary rate or range for each job title should be given.

2. *Job Group Analysis* — an analysis of all major job groups to determine if women or other target groups are currently being under-utilized in any job groups. A job group is composed of jobs with similar content, wage rates, and opportunities. This should be done using groups which can be compared to an external standard.

3. *Availability/Population Analysis* — this compares the participation of women and others in the internal workforce to the participation percentage in the external workforce.

4. *Availability/Occupational Analysis* — an analysis comparing occupational groups in the internal workforce with those in the external workforce. Indices of under-utilization and concentration are developed.

5. *Wage Analysis* — an analysis of wage levels of employees by job groups and job title.

6. *Applicant and Hire Flow* — an analysis of all new hires by job title.

7. *Promotion and Transfer Analysis* — an analysis of promotions and transfers by job groups.

8. *Termination Analysis* — an analysis of total terminations by job title.

9. *Training Analysis* — an analysis of relevant training information by type of training and cost. ·

B. QUALITATIVE ANALYSIS — a complete written analysis of the employment process which includes -

1. *Workforce Analysis* — a written analysis of the statistical data covering such issues as:
   a. Are females adequately represented in higher paying jobs?
   b. Are there problem departments which have no women in higher positions?
   c. Are women represented in positions which provide access to higher level jobs?

2. *Job Group Analysis* — a written analysis of the quantitative findings :
   a. Are women under-utilized or concentrated in one or more job groups?
   b. Are any particular departments or units more responsible than another for under-utilization?
   c. Are there promotional routes open to women to move to higher positions?

3. *Availability/Population Analysis* — A written analysis which explains the extent of under-utilization and which addresses effects such as the lack of representation in the pool for promotion.

4. *Availability/Occupational Analysis* — a written analysis which addresses the organization's representation in certain job groups or at certain levels compared with that in the external market.

5. *Wage Analysis* — a written analysis of the statistical data:
   a. Is there a lack of pay equity for men and women doing the same work?
   b. Is there an equal value situation?
   c. Are there variations in entry level salaries?

6. *Applicant and Hire Flow* — a written analysis covering such issues as:
   a. What percentage of females are being hired compared with males?
   b. What percentage of females are being hired compared with those leaving or being terminated?
   c. What positions are women being hired into?

7. *Promotion and Transfer Analysis* — a written analysis covering topics such as:
   a. What percentage of women are being promoted to senior levels?
   b. What percentage of women are being promoted compared with the percentge of men being promoted?

8. *Termination Analysis* — a written analysis covering the following:
   a. What is the percentage of women being terminated or laid off compared with men?
   b. Is termination impacting differently at different levels?

9. *Training Analysis* — a written analysis of the various aspects of the training program:
   a. Are women not receiving certain types of training?
   b. Is there a difference in the amount of money being spent on men and women in training in-itiatives?

10. *Analysis of Organizational Policies* — a written analysis of policy initiatives and their impact:
    a. Do benefit plan policies discriminate?
    b. Do seniority clauses in collective agreements cause a problem for women?
    c. Is the human resource policy consistent with equity concerns?
    d. Does the salary administration policy cause a problem for women? e.g. constraints.

UNDER-UTILIZATION AND CONCENTRATION

The workforce analysis and the availability analysis are carried out to help the employer identify areas of under-utilization and concentration. Under-utilization refers to having fewer women in a particular job classification than would reasonably be expected by their availability in the relevant labour market. It also means employing persons in jobs that do not make adequate use of their skills and abilities. Concentration means having more women in a particular job classification or department than would reasonably be expected by their presence in the workforce. Where statistics reveal strong under-utilization or concentration there is a high probability that discriminatory practices are present. The employer must therefore identify and determine the extent of the under-utilization or concentration.

ACCESSING THE DATA

All of the analytical components should be used at various intervals to provide a regular assessment of the equity status of the organization.

Before attempting an audit, discover how your organization keeps its workforce data, what data is recorded where, and how accessible the data is. Most of the information required for looking at equity status can be found in one or more source documents. Records of establishment strength normally identify job titles and numbers, incumbents, and the type of position. Payroll records usually have name, sex, age, classification, marital status, and pay. Human resources files will have additional information on appointments, training, performance evaluations, courses taken, and career development plans. Some organizations will have automated human resource inventory systems, or personnel data bases which can be programmed to provide all the necessary equity status data.

Assessing the workforce database

The checklist below can be used to record what information is available and where it is.

DATA ELEMENT	SOURCE	ACCESS
Assessing employee data family name sex age classification position function original classification time in present position time with organization total employment experience date of current appointment pay position in pay range performance evaluations training and development information previous positions		

DATA ELEMENT	SOURCE	ACCESS

Assessing organizational information
 	
Department/Branch/Unit
    employee information by title and
    salary
Transaction data
    hiring information
    promotional information
    layoff information
    salary increases
    firing information
    quit data
Succession plans
Training plans
Formal policies
Formal and informal practices
Formal and informal systems		

Assessing external data
 	
Organization has access to:
    salary surveys
    employment market data
    economic analyses
    demographic analyses		

The size of the organization and the sophistication of its human resources systems will have a bearing on the extent of equity status data which is readily available. If the data has to be accessed manually it is likely that the initial step will be a baseline audit of the workforce. This might then be followed by sampling various other areas e.g. training or career development.

In addition to the existence of information and its accessibility, other factors to consider are its reliability and validity. Information sources which have gaps or high error rates or are significantly out-of-date must be revised so that they provide the level of accuracy needed to serve as a statistical base for evaluating and developing affirmative action plans.

WORKFORCE ANALYSIS

Workforce array
Job groups analysis
Background data

Workforce Array

As noted in the preceding section, a workforce analysis has several components. The first of these, a workforce array, provides a picture of a specific department or unit highlighting representation by job title and salary distribution by sex or other target group identifier.

To carry out a workforce array requires the following information by department or unit:
- Job title
- Sex or other identifier
- Salary

If there is more than one career progression line or work unit within a Department then a separate analysis should be done for each. In an organization which has no formal progression lines, job titles should be listed by discipline, job family, or profession using salary ranges.

A more detailed workforce array will include the following information as well:

- job classification and level
- education
- experience

SAMPLE 1: WORKFORCE ARRAY

Note: This type of recording format is appropriate in smaller units of up to 25-30 people. It relies on minimal payroll data which can easily be ordered manually.

DEPARTMENT/UNIT: ADMINISTRATION

CAREER PROGRESSION LINE: Only limited by professional qualifications.

SALARY	JOB TITLE	SEX
$15,000	secretary	F
$16,400	secretary	F
$19,500	clerk	F
$21,300	clerk	F
$25,000	statistical clerk	M
$26,300	statistical clerk	M
$26,800	statistical clerk	M
$27,500	financial clerk	M
$35,000	manager	M

SAMPLE 2: WORKFORCE ARRAY

Note: This type of recording format can be used where a personnel data base exists which makes it possible to acquire other descriptive information. Where there are large numbers of staff in a specific category this should be added and the descriptive data averaged.

DEPARTMENT/UNIT: PERSONNEL

CAREER PROGRESSION LINE: Open

JOB TITLE	SALARY	CLASSIFICATION LEVEL	EDUCATION	ORGANIZATION EXPERIENCE	MALE	FEMALE	TOTAL
Secretary	$17,500	Sec 1	HS Grad	3 years		X	
Clerk	$19,500	Clerk 2	HS Grad	4.5 years		X	
Clerk	$21,200	Clerk 3	HS Grad	2.5 years	X		
Director	45,000	1100 Hay points	B.A.	7 years	X		

Job group analysis

The second component of the workforce analysis, a job group analysis, is usually used in conjunction with a workforce array to provide another perspective on where men and women or other target groups are situated in the organization. In some instances, particularly in very large organizations, a job group analysis is used instead of a detailed workforce array.

Job information such as similarity in content, salary, responsibility and career path is analyzed and then used to establish occupational groups. The number of males and females or other target group members are assigned to the appropriate occupational group.

Job group analysis establishes how integrated or segregated a workforce is in terms of its representation across occupational groups. It identifies the groupings where barriers to participation might conceivably exist. It also illustrates whether or not the occupational structure is homogeneous or heterogeneous as far as men and women are concerned. For example generally speaking men tend to be in many job groups i.e. heterogeneous structure. Women tend to be clustered in a small number of job groups ie. homogeneous structure.

In light of the fact that it is necessary for employers to compare their results with either industry or labour force data, the organization's system should facilitate this type of comparison. It should also be meaningful within the system. e.g. Boards of education, hospitals and universities might wish to look first at their own classification groups before collapsing the data into a more generic form.

At present, there are no provincial or federal systems for recording job group data, although there is currently a move in this direction. The Abella Commission's twelve occupational groups are being considered for use in Ontario. The City of Toronto has made use of the twelve groups with one modification i.e. a separation of commissioned and non-commissioned sales.

DESCRIPTION OF OCCUPATIONAL GROUPS

The following groups have been developed using the Standard Occupational Classification, Statistics Canada.

1. *Upper-level Managers.* Those people holding the most senior positions in large firms or corporations. They are responsible for the corporation's policy and strategic planning, and for directing and controlling the functions of the organization. *Includes:* chief executive officer, president, vice-president, chief operating officers, general managers, divisional heads, and directors who have several middle-level managers reporting to them or are responsible for the direction of a critical technical function.

2. *Middle-level Managers.* Middle managers receive instructions from upper-level managers and administer the organization's policy and operations through subordinate managers or supervisors. Upper-level managers and middle-level managers together comprise all managers. *Includes:* financial, personnel, sales, advertising, purchasing, production, data processing, marketing, and research and development managers.

3. *Professionals.* These occupations usually require either university graduation or prolonged formal training and often require membership within a professional association. *Includes:* engineers (civil, mechanical, chemical, electrical, petroleum, nuclear, aerospace, etc.), architects, lawyers, psychologists, librarians, accountants, and kindred workers.

4. *Technicians and Semi-Professionals.* These occupations usually require knowledge equivalent to about two years of post-high school education, such as is offered in many technical institutes and community colleges, and often have further specialized on-the-job training. Technicians possess highly developed manual technical skills. *Includes:* computer programmers, and system analysts, nurses, physio and occupational therapists, draftspeople, musicians, actors, photographers, illustrating artists, product designers, radio and television announcers, translators and interpreters, writers and editors, specialized inspectors and testers of electronic, electrical, mechanical etc. products, vocational instructors, technicians, (medical, electronic, engineering, architectural, dental, physical science, life science, library, etc.), and kindred workers.

5. *Supervisors.* Non-management first-line supervisors of white collar (clerical, sales, and service) workers. Supervisors may, but do not usually, perform any of the duties of the employees under their supervision. *Includes:* supervisors of stenographers, typists, account recorders, office machine and electronic data processing operators, library clerks, mail carriers and messengers, salespeople, food and beverage preparers, bookkeepers, receptionists, sales workers, and kindred workers.

6. *Foremen/Women.* Non-manager first-line supervisors in blue collar jobs. They may, but do not usually, perform any of the duties of the employees under their supervision. *Includes:* supervisors of machining, construction, heavy equipment operation, mechanical repairers, processing workers (food and beverage, textiles, wood, metal), workers in assembling and repairing, workers in air, railway and water transportation, printers, excavators and pavers, and kindred workers.

7. *Clerical.* Includes all clerical work, regardless of difficulty, in which the activities are predominantly non-manual. *Includes:* bookkeepers, cashiers, collectors (bills and accounts), messengers and office helpers, office machine operators, mail clerk, typists, telephone operators, electronic data processing equipment operators, clerks (production, shipping and receiving, stock, scheduling, ticket, freight, library, reception, travel, hotel, personnel, statistical, general office), and kindred workers.

8. *Sales (Commissioned).* Occupations engaged wholly or primarily in selling on a commission basis. *May include:* advertising agents, real estate agents, sales workers and sales clerks, stock brokers, insurance agents, travel agents, salespeople of technical and business services, and kindred workers.

9. *Sales (Non-Commissioned).* Occupations engaged wholly or primarily in selling on a non-commissioned basis.

10. *Service.* Workers who provide personal service. *Includes:* attendants (hospital and other institutions, including nurses' aides and orderlies), barbers, bartenders, guides, food and beverage serving occupations, travel and attendants housekeepers, childcare occupations, and kindred workers.

11. *Skilled Crafts and Tradespeople.* Manual workers of a high skill level, having a thorough and comprehensive knowledge of the processes involved in their work. They are frequently journeymen/women who have received an extensive period of training. *Includes:* welders, tool and die makers, sheet metal workers, carpenters, plumbers, mechanics and repairers, engravers, television broadcasting equipment operators, radio and television service repairers, tailors and dressmakers, firefighters, and kindred workers.

12. *Semi-Skilled Manual Workers.* Manual workers who perform duties that usually require a few months of specific vocational on-the-job training and a formal education which is less than high school completion. Generally, these are workers whose skill level is less than that of skilled crafts and trades workers, but greater than that of unskilled manual workers. *Includes:* truck and tractor drivers, bus drivers, paving, surfacing and related occupations, roofers, photographic processors, sound and video recording equipment operators, those in apprenticeship training, textile workers, and kindred workers.

13. *Manual Workers.* Workers in blue collar jobs which generally require only a few days or no on-the-job training. The duties are manual, elementary, and require little or no independent judgement. *Includes:* garage labourers, car washers and greasers, swampers, unskilled railway track workers, labourers performing lifting, digging, mixing, loading and pulling operations, and kindred workers.

JOB GROUP ANALYSIS

JOB GROUPS	ALL EMPLOYEES			MEN			WOMEN		
	#	%	$	#	% of group	$	#	% of group	$
Upper level managers									
Middle level managers									
Professionals									
Technicians and semi-professionals									
Supervisors									
Foremen/women									
Clerical									
Sales (commissioned)									
Sales (non-commissioned)									
Service									
Skilled crafts and tradespeople									
Semi-skilled manual workers									
Manual workers									

\#   refers to the number in that occupational group

%   refers to the percentage of men or women in that occupational group or the % of total employees who fall into that occupational group

$ refers to the average salary

For internal and within-sector purposes school boards, universities and hospitals would break their job groups according to the designated professional and administrative positions and then the non-academic or non-medical positions.

EXAMPLE: SCHOOL BOARD "X":

Professional/Administrative Positions	Non-academic Positions
Director of Education	Maintenance
Ass't Director	Engineering
Superintendent	Administration
Principal	Personnel
Vice-Principal	Clerical support
Department Head	Supervisors
Ass't Department Head	Managers
Teacher	

These could as well be collapsed into the Abella system, to allow wider comparison.

ONTARIO FORMAT	EDUCATION CLASSIFICATIONS
Upper-level managers	Director of Education
	Ass't Director
	Superintendents
Middle-level managers	Principals
	Vice-Principal
	Department Heads
	Ass't Department Heads
	Managers-non-academic
Professionals	Teachers
	Engineers
	Accountants
	Psychologists
Technicians/semi-professionals	A.V. technicians
	Teacher's aides
	Maintenance staff
Clerical	Administrative support
	Secretaries
	Clerks
Manual Workers	School custodians
	Grounds keepers

Once the job groups classification has been determined, the breakout of men and women or other target groups can take place. As in the workforce array, there is flexibility in the amount of information which can be recorded.

The job groups analysis data is then compared with sector or labour force data to determine whether under-utilization or concentration has occurred.

Background Data

Background data can be included in both the workforce array and the job group analysis. This will most often be determined by the degree of accessibility of particular types of information. e.g., the current status of educational or training data, or the availability of experience data. Where there are automated systems it is a matter of programming the information required and establishing the format to be used.

There is an alternative available to those who do not have automated systems or for whom the access data on all employees is not appropriate. Special studies can be undertaken to assess the impact of specific factors and whether or not there are significant differences between men and women . Some of the variables which can be subjected to this type of analysis are:

- educational levels and types of education
- training and development
- experience with the organization
- related experience elsewhere
- mobility patterns
- performance evaluations
- salary profiles: i.e. entry level, increases

These special studies are useful in understanding the importance of various productivity factors to the organization and whether or not males and females differ in this regard . They also provide an indication as to whether or not the organization values these factors differently in men and women.

For the smaller or less sophisticated organization, the advantage of pursuing a "special study" approach is that it can be done for a specific group of employees, or for a specific department, or using a random sample or a stratified random sample. These allow the employer to select areas of particular importance, reduce the amount of information which has to be collected and determine the complexity of the analysis required.

AVAILABILITY ANALYSIS

What is availability?

Availability is an indicator of the number of women or other groups with certain sets of skills and knowledge which an employer may recruit to fill various jobs. Availability data are used to establish a standard against which an organization may assess its utilization of women and other groups. If the number of women present in any job group is less than the standard then there is said to be under-utilization or under-representation. If there is an over-representation of women then there is said to be concentration. In determining availability it is necessary to establish a number of factors.These include the geographic area from which employees are to be recruited, the job profile and related skills, and the internal and external pools which contain potential candidates.

How is availability data used?

Availability data is used in three basic ways. First, data is used to establish a standard against which to assess the employer's utilization of women or other groups. Second, availability data is used to establish realistic goals for both long term and short term utilization and staffing actions. Third, availability data is used to determine strategies to increase the pool of female candidates available for specific jobs.

How are availability factors determined?

Certain factors must be taken into account in establishing realistic availability estimates. These include:

- a population or workforce estimate usually limited by a geographic boundary
- related skills
- internal and external pools of qualified candidates
- underfill candidates

The *population or workforce* estimate attempts to define the percentage of women in either the working age population or in the labour force. If labour force data is used it is frequently adjusted to compensate for the effects of past discrimination. The geographic definition of the relevant labour market is of special importance. For a senior executive the recruitment area might be national while for a junior manager the area might be restricted to the local metropolitan area. The geographic parameter is obviously extremely important where it acts to exclude women or other target groups. This occurs when there are no women with the requisite skills within the particular boundary chosen. The practitioner should begin with the local market and work from there in determining the appropriate geographic boundaries.

Once the geographic boundary has been determined it is necessary to look for the number of women who possess the *required skills*. This process is heavily dependent on the job profile and what constitutes a valid job qualification. Job requirements must be carefully reviewed and once validated can be used to determine required skills. In some cases the skills are relatively generic while in others they are highly specific perhaps requiring certification.

Availability data can be compiled for both *internal and external pools of candidates*. The internal pool may include those in the next level, or at the level of the job being filled; those in a developmental position; those who have graduated from a special management training program; and those deemed to have the general qualifications but not necessarily the specific related work experience. The external pool may include those working in similar jobs for another employer; those graduating from a relevant training or education program; those who are unemployed and who possess the relevant skills. The internal availability data are the easiest to compile. It is important to include all people who might conceivably be able to do the job and not to make arbitrary decisions which negatively impact on women or other groups. A similar caution applies to identifying relevant job groups in the external market. With respect to graduates it is important to note that the participation rates and graduation of women from non-traditional programs in the past decade has increased dramatically.

Underfill candidates are those who could be trained to fill a particular job and who do have the qualifications to enter training. These could be considered developmental candidates. In a low growth economy the opportunity to take on less than fully qualified candidates is seriously hampered. However, the employer must be very careful to ensure that the definition of fully qualified is not overly restrictive and does not in fact eliminate reasonable candidates.

Availability data sources

Internal availability data can be compiled once the parameters have been established. When the job profiles have been defined, the relevant qualifications determined, the depth and breadth of the pool of candidates delineated, and the other potential sources detailed (i.e. training programs, general sources etc.), availability data can be generated for various job groups at various levels.

Obtaining relevant external data is more time consuming depending on the job groups, the sector and the specific requirements. The sources will vary depending on the job groups, the sector, and the specific requirements. Professional data (e.g. doctors, engineers, lawyers) can be obtained from professional associations and government sources. Participation in certain sectors, in specific industries and in various job groupings can be acquired from Statistics Canada, Labour Canada, and the Ontario Ministry of Treasury and Economics. The Canadian Employment and Immigration Commission has for a number of years been working to upgrade availability data.

AVAILABILITY ANALYSIS

POPULATION

	MEN	WOMEN	MINORITY		DISABLED	
			M	F	M	F
INTERNAL WORKFORCE, RAW NUMBER						
PARTICIPATION PERCENTAGE						
EXTERNAL LABOUR FORCE, RAW NUMBER						
PARTICIPATION PERCENTAGE						

Note: This type of breakdown is used to provide a broad picture of comparison between the organization's labour force and that of the external market.

AVAILABILITY ANALYSIS
JOB GROUPS

Job Groups	Internal				External			
	male		female		male		female	
	#	%	#	%	#	%	#	%
Upper level manager								
Middle level managers								
Professionals								
Technicians and semi-professionals								
Supervisors								
Foremen/women								
Clerical								
Sales (commissioned)								
Sales (non-commissioned)								
Service								
Skilled crafts and tradespeople								
Semi-skilled								
Manual workers								

UTILIZATION ANALYSIS

The *workforce array* orders data in such a way that it is immediately evident whether or not a problem exists in the distribution of men and women across a department or unit. However, the extent of that problem or its significance in light of the profile of other employers or the labour force at large is not quite so apparent. The combination of the job group analysis information and the availability analysis is more telling. It provides the employer with direct feedback about the success of the organization in having hired, developed, and promoted women in the past as well as the present. The comparison between the employers' workforce and the external workforce is called utilization analysis.

The utilization rate of women (or other targeted groups) is expressed as a ratio, i.e.

$$\frac{\#\text{female employees}}{\#\text{male employees}} \times 100 \qquad \text{or} \qquad \frac{\#\text{females in middle level management}}{\text{total \# of middle level managers}} \times 100$$

For example:

The Twyler Corporation has 42 middle level managers, four of whom are women. The utilization rate is

$$\frac{4}{42} \times 100 = 9.5\%$$

This rate can then be compared to a standard.

Utilization Standard

The utilization standard is the proportion of women or other targeted groups the organization should aim for in the staffing of each job group. Because a number of factors contribute to availability, (i.e. population or labour force estimate, skills required, training and education profile, and those who are underfill or potential candidates) these have to be weighted to arrive at a single availability standard. A number of methods are available to do this. The basic computation procedure is to multiply each of the four factors by a weight with the sum of the four being 100%. These products are then added to arrive at a single standard. Incorporating all of the factors necessary to establish a realistic utilization standard is a complex statistical process. Additional information can be found in "AFFIRMATIVE ACTION TECHNICAL MANUAL, Employment and Immigration Canada."

TRANSACTION ANALYSIS

Transaction analysis refers to the assessment of various employment transactions — e.g. hiring, promotion, transfer, training, termination, and layoff. The objective is to determine whether these actions are affecting men and women differently. This information builds on that obtained in the work force and job group analysis. The test used to statistically assess for differential impact is "adverse impact". Since there are usually several stages in a transaction, it is possible to identify fairly specifically where the problem might reside. For example, a hiring transaction includes the initial recruitment pool, preliminary screening, the interviews and the selection. At any one of these points there could be differential impact.

What information is required?

It is necessary to keep records of every action and its outcome by sex. This information is kept by classification and salary so that different levels can be reviewed separately. For example, there may be a problem with promotions to upper level management but no difficulty at the supervisory level. There may be some difficulty in the maintenance area but no adverse impact in the sales section. This information is extremely useful in targeting employment equity initiatives. For example, if at the interview stage males and females are equally represented but males are consistently hired then this narrows the focus of future investigation and action.

How is transaction information recorded?

Records are normally kept on individual outcomes and then collated to provide an overview of what is occurring with any one process. Trend data is developed from the overall data so that the organization has an idea whether or not it has to enhance its endeavors in any one area. The formats for the various processes are set out in the charts which follow.

There is flexibility in the amount of detail which any particular organization may wish to record. The first step in determining the recording format is to identify the key elements in each process.

For example, in the hiring and selection process, the key elements are -

- the referral source
- the gross prescreen
- testing impact
- the screening interview
- the second interview
- reference checks
- hiring action
- reason for not hiring

Any of these elements might be eliminated from the final recording format if they are not relevant. The actual document might be similar to the Applicant and Hire Flow Chart.

ADVERSE IMPACT ANALYSIS

This statistical test is used to assess whether or not a specific employment action has negatively affected one group more than another.

For example, in analyzing recruitment data, the following situation might occur:

During 1984, 5 systems analysts were hired. Twenty men and ten women applied. All were qualified. Four men and one woman were hired.

$$\frac{\text{male hires} = 4}{\text{male applicants} = 20} \text{ x } 100 = 20\%$$

$$\frac{\text{female hires} = 1}{\text{female applicants} = 10} \text{ x } 100 = 10\%$$

The ratio of female success to male success is expressed

$$\frac{10}{20} \text{ x } 100 = 50\%$$

The adverse impact standard is 80%. Any result less than 80% is indicative of adverse impact and possible discrimination.

Once a potential problem is identified, further analysis of the recruitment process should be undertaken.

APPLICANT AND HIRE FLOW

Name	Date	Job title	Sex	Referral Source	Prescreen	Testing Impact	Screening Interview	2nd Interview	Hiring Action	Reason for not hiring

The second step is to summarize the various data elements and their impact on males and females. See Summary Chart — Applicant and Hire Flow

SUMMARY CHART — APPLICANT AND HIRE FLOW

Period:

Job title	# of Positions	# in pool		# interviewed		# hired	
		males	females	males	females	males	females

The final step is to carry out an adverse impact analysis to identify where problems are occurring.

APPLICANT AND HIRE FLOW

ADVERSE IMPACT ANALYSIS

SAMPLE

Job title	# of positions	# in pool		# interviewed		# hired	
		male	female	male	female	male	female
	5	20	10	10	2	4	1

$\dfrac{\text{\# interviewed}}{\text{\# in pool}}$ males $\quad \dfrac{10}{20} = 50\%$ females $\quad \dfrac{2}{10} = 20\%$

adverse impact of selection for interview $\quad \dfrac{20}{50} = 40\%$

Adverse impact is occurring at this stage.

$\dfrac{\text{\# hired}}{\text{\# interviewed}}$ males $\quad \dfrac{4}{10} = 40\%$ females $\quad \dfrac{1}{2} = 50\%$

adverse impact of selection for interview $\quad \dfrac{50}{40} = 125\%$

Adverse impact is not occurring in hiring.

The same steps are followed for each transaction. Sample charts are provided for promotion and transfer, training, termination and layoff.

TRANSFER AND PROMOTION

Name	Date	Job title	Sex	Original Position	Salary	Dept.	New Position	New Department	Salary Change	Status Change	Transfer/ Promotion

SUMMARY CHART — TRANSFER AND PROMOTION

Job group	# promotions		# transfers		salary change 000's											
	males	females	males	females	1		2		3		4		5		6 +	
					m	f	m	f	m	f	m	f	m	f	m	f

ADVERSE IMPACT ANALYSIS

$\dfrac{\text{\# promoted}}{\text{\# in pool}}$ males $\dfrac{10}{40} = 25\%$ females $\dfrac{1}{20} = 5\%$

adverse impact of promotional process $\dfrac{5}{25} = 20\%$ Therefore adverse impact exists in the promotional process.

TRAINING REPORT

Department

Period

Name	Date	Job Title	Sex	Type of training	Cost of training	Duration of training	Status change	Salary change

SUMMARY CHARTS: TRAINING

Type of training	Males	Females
management		
supervisory		
technical		
support		

Training Costs	Males	Females

ADVERSE IMPACT ANALYSIS

$\dfrac{\text{\# on management training}}{\text{\# eligible for management training}}$ male $\dfrac{4}{40} = 10\%$ females $\dfrac{1}{20} = 5\%$

adverse impact of selection for management training $\dfrac{5}{10} = 50\%$ Therefore adverse impact is occurring in the selection for training

TERMINATION AND LAYOFF

Name	Date	Job title	Sex	Date of of hire	Position at termination	Date of termination	Reason for termination

SUMMARY CHART: TERMINATION AND LAYOFF

Period

Job title	Males	Females
Experience Reasons		

ADVERSE IMPACT ANALYSIS

$$\frac{\text{\# terminated}}{\text{\# in total group}} \qquad \text{males} \quad \frac{2}{20} = 10\% \qquad \text{females} \quad \frac{1}{10} = 10\%$$

adverse impact of termination process $\quad \dfrac{10}{10}$ No adverse impact has been documented in termination.

Will the current transaction levels change the equity status?

If the workforce analysis and the job group analysis show a problem in where women are represented in the workforce then one of the objectives of employment equity will be to change that level of representation. This is accomplished through the various transactions which have just been analyzed. One additional analytical step is important and that is to examine whether the rate of change documented in the transactions meets the organization's equity objectives.

For example, if the current representation of female principals in the secondary panel in a particular board is 5% and the objective is to increase that number by another 5% within a particular time period, then the promotional rates and the process must be reviewed. If the organization is determined to follow a fairly neutral strategy then the transaction data can be used to assess how long any adjustment in representation may take to occur given the current promotion rate.

ANALYZING EMPLOYMENT SYSTEMS

The employment systems of an organization determine how people are hired, promoted, paid, trained, treated, laid off and terminated. There are human resource planning, succession planning, career development, performance management, job evaluation, training, and salary administration systems. Their tools are inventories, organization structure models, salary curves, and long term projections. They are critical to the success of an organization since they determine how people are recruited, managed, and motivated. They are the principle means by which equity goals can be achieved or denied.

What is systemic discrimination and how is it identified?

Systemic discrimination refers to a policy, practice, procedure, system, or method of operation which has a negative impact on women or other target groups *whether or not* that impact is/was intended. Frequently the term is equated with unintentional discrimination although both intentional and unintentional discrimination can be reflected in employment systems. For example, a policy of paying female-dominated groups less could be viewed as intentional systemic discrimination. Salary cutoffs which restricted access to a management training program and negatively impact on women could be either intentional or non-intentional. Systemic discrimination is illegal in Ontario.

A number of factors are generally used to determine whether or not systemic discrimination is present. These include: Is the policy, practice, procedure, system or method of operation -

- legal
- valid
- applied consistently
- job related
- a business necessity

and does it have an adverse impact?

Example:

Municipality X uses a test battery to identify those eligible to become firefighters. To date few women have passed the physical requirements of the test which involves lifting a heavy weight. This test is done as a safety precaution against the eventuality of a building collapsing and structural supports falling on the firefighter.

- Is it legal?

There is no question that the test discriminates against women. However before determining its legality it is necessary to address the other questions. One of the defenses that an employer can use is that the practice is necessary for the safe operation of the organization.

- Is it valid?

There are a number of different types of validity one of which relates to whether or not the content of the test is actually replicated on the job. Is it? How often?

- Is it applied consistently?

The test here is whether both men and women are being required to carry out the same test.

- Is it job related?

This is a very important consideration and is frequently expanded to include the concept of whether or not other methods can be used which do not have a discriminatory impact.

- Does it have an adverse impact?

There is no question in this example that an adverse impact is present.

The practitioner must ask these questions in regard to all the components of employment systems. The answers will not always be clear-cut and in the cases where some ambiguity exists there may also be a very strong commitment to the existing system. In these instances it is appropriate to point out that the equity impact may be total exclusion or serious limitation.

What are the major employment systems?

- recruitment
- selection
- job evaluation
- salary administration
- training and development
- promotion
- human resource planning

- career development
- performance evaluation
- conditions of employment
- termination and layoffs
- collective agreements

What kinds of information are required?

A number of different types of information are required in order to analyze employment systems. The broad categories are quantitative and qualitative data. The qualitative information includes policies, descriptions of practices, manuals of procedures and guidelines, employee feedback, and critical analyses of the foregoing. The quantitative data is based on a statistical review of the impact of the various systems using adverse impact.

How is the scope of the analysis determined?

A full scale employment systems analysis can be very complex and time consuming. It can also exert a fair demand on resources. In some cases an employer will make a decision to go forward with a complete analysis, in others the decision will be to focus on specific areas. How can this determination be made?

The workforce analysis will provide valuable data about the extent and possible location of the equity problems. In the event of a total systemic problem it becomes important to approach the employment systems analysis in a comprehensive way. However, if certain specific problem areas have already been identified it might be advisable to focus on them and to approach the other employment systems in a staged fashion.

Who is responsible?

To carry out an employment systems audit requires extensive knowledge in a wide variety of areas, access to widely dispersed information, and a capability to critically evaluate information across a broad spectrum of activities. Given the scope of the undertaking it is advisable to enlist the involvement of a number of colleagues who together form a team with the requisite skills and responsibilities.

A GUIDE TO EMPLOYMENT SYSTEMS
ANALYSIS/LOCATING SYSTEMIC DISCRIMINATION

The following employment policies, practices and systems may adversely impact on women or other target groups.

ACTIVITY COMPONENT	IMPACT ANALYSIS	TEST (LEGAL, ADVERSE IMPACT, VALID, JOB RELATED, BUSINESS NECESSITY, CONSISTENCY)
Recruitment		
• advertising	—type of publication, distribution may not reach women and others	—adverse impact, not a business necessity
	—expressed qualifications may be restrictive	—could be illegal unless BFOQ exists
	—extent of advertising may not reach female pools (e.g. no female accountants available in this area)	—adverse impact
• posting	—must be openly advertised	—adverse impact
	—previous climate may deter women from applying	
• inventories	—depending on scope could restrict or limit women	—adverse impact
• word of mouth	—highly restrictive	—adverse impact, discrimination
• walk-ins	—limited in area served	—adverse impact
• union agreements	—restrictions can be limiting	—adverse impact
• application forms	—personal information can be used to discriminate e.g. marital status, sex, number of children	—adverse impact, job relatedness, business necessity
• preliminary screening	—criteria could be discriminatory e.g. BSc	—adverse impact, indirect discrimination, job relatedness
• preliminary tests	—could discriminate against women and other groups	—adverse impact, indirect discrimination, job relatedness?
Staffing/Selection		
• qualifications	—can limit or exclude	—adverse impact, indirect discrimination, job relatedness, business necessity?
• surplus considerations	—can reduce opportunity	—adverse impact vs. business necessity
• collective agreements seniority lists	—can be excluding and restrictive re: women	—adverse impact, job relatedness?
• interview process & content	—may not be sensitive to women and other groups	—adverse impact, consistency, job relatedness, indirect discrimination

ACTIVITY COMPONENT	IMPACT ANALYSIS	TEST (LEGAL, ADVERSE IMPACT, VALID, JOB RELATED, BUSINESS NECESSITY, CONSISTENCY)
• selection standard	—differing values may impact differently on different groups (e.g. assertiveness in men and women) —different criteria may be used for men and women	—adverse impact, job relatedness? —indirect discrimination —adverse impact, questionable legally, job relatedness?

Job evaluation/Salary administration

• job description	—may place inappropriate emphasis on certain factors (e.g. stress in situations requiring physical exertion; limited stress in repetitive, routine situations i.e. word processing)	—adverse impact; undervaluing of women's jobs potentially illegal
• job evaluation	—factors may reflect male demands (higher wt. for physical factors) —different structures where male structure is the standard (exempt vs. non exempt) —points keyed to the marketplace which perpetuates discrimination —subjective ranking system where males slot jobs into grades —male committees	—adverse impact, job relatedness?
• salary administration	—use of unadjusted marketplace data could perpetuate discrimination —variation in administration of entry level salaries for males and females —administration of annual and promotional increases could increase the salary gap	—legal implications, adverse impact consistency

Training and Development

• selection criteria	—may limit or exclude women or others e.g. salary cutoffs, entry requirements, educational background	—adverse impact, indirect discrimination, job relatedness, consistency
• types of programs offered	—may not address needs of those in female dominated positions	—adverse impact
• delivery & content	—programs which do not have females represented in delivery roles, do not use non-sexist language, do not provide equal treatment are discriminatory	—adverse impact, indirect discrimination
• financial allocations	—reluctance to spend large amounts of money on women therefore not eligible for more sophisticated. training	—adverse impact, consistency, indirect discrimination

ACTIVITY COMPONENT	IMPACT ANALYSIS	TEST (LEGAL, ADVERSE IMPACT, VALID, JOB RELATED, BUSINESS NECESSITY, CONSISTENCY)
• organization outcome	—the application of training experience may be differentially applied.	—adverse impact, indirect discrimination, consistency

Promotion

• inventories	—depending on scope can limit and exclude women	—adverse impact, indirect discrimination
• promotional criteria	—can restrict or exclude women e.g. number of years of experience, type of experience	—adverse impact, indirect discrimination
• advertising	—scope can limit access e.g. posted in executive dining room	—adverse impact, indirect discrimination
• decision process	—those making the decision may not wish to have women in that position	—adverse impact, illegal

Human Resource Planning/Career development/Succession Planning

• identifying needs	—the treatment of people in different jobs may be different e.g. in addressing surpluses how are those in support positions treated?	—adverse impact, consistency, indirect discrimination
• utilization	—in future planning how extensively are internal resources tapped	—indirect discrimination, or adverse impact
• development considerations	—are the same options open for all employees e.g. are the career paths to those in support positions sufficient to let them move beyond that job family?	—adverse impact, consistency, indirect discrimination
• integration with equity	—how are priorities established?	

Performance evaluation

• evaluation	—more personal criteria do not permit assessment of job performance	—adverse impact, consistency, job relatedness
• quality control	—lower level staff can be more vulnerable to personal preferences —assessment at all levels should be backed with narrative; this tends to be less thoroughly done at the lower levels	—adverse impact, indirect discrimination, consistency
• utilization of ratings	—higher ratings tend to have less positive value for females while lower ratings tend to have less negative value for males	

ACTIVITY COMPONENT	IMPACT ANALYSIS	TEST (LEGAL, ADVERSE IMPACT, VALID, JOB RELATED, BUSINESS NECESSITY, CONSISTENCY)
Conditions of employment		
• sexual harassment	—a serious problem for both women and employers; negatively impacts on opportunity	—illegal, adverse impact
• non-job related duties	—demands for personal services demean the status of the employee	—adverse impact, consistency, job relatedness
• general work climate	—poor work climate which permits harassment and a lack of respect can impact differentially on those who are new in that situation e.g. women in non-traditional jobs	—adverse impact, consistency
Termination and Layoffs		
• Seniority	—seniority based criteria for termination or layoff frequently impact negatively on women	—adverse impact
• Performance standards	—if subjective and applied by person not sensitive to different groups will have differential impact	—adverse impact, indirect discrimination, consistency
• Skill variations	—changes in skill requirements can impact negatively on women where retraining programs are not generally available	—adverse impact
• **Collective agreements**	• The provisions of a collective agreement have to be reviewed in each of the employment systems components to determine if there is any differential impact. The most serious difficulty identified to date relates to the seniority provision which because of women's more limited tenure tends to have quite serious implications in a number of areas of the employment process.	

SUMMARY OF SYSTEMS AUDIT

Having been alerted to potential problem areas how should the practitioner and the employment systems audit team proceed?

1. Examine the workforce analysis and the job group analysis to get the snapshot picture of the organization's equity status.

   Example: City X has ......

   — no women in management
   — no women in maintenance and engineering
   — significant numbers of female part-timers
   — an overall pay ratio of .60
   — 4 active sexual harassment complaints
   — concentration of women in support positions

2. Match senior level priorities (women in non-traditional jobs) with the initial focus in the employment systems analysis. Then, in this example, develop a complete description of the recruitment and staffing process.

   Recruitment and staffing of non-traditional jobs:

   — hiring halls are used
   — words of mouth, personal referrals are used for sanitary workers
   — police force and firefighters are required to meet certain guidelines with respect to height and weight and also pass certain tests
   — maintenance workers must have had previous experience
   — engineering staff require degrees

3. Put each component to the test of:

   — legality
   — validity
   — consistent application
   — job relatedness
   — business necessity, and
   — adverse impact

4. Using the transaction data, carry out an adverse impact analysis at each stage of the recruitment and staffing process.

5. Produce an impact analysis summary. i.e. a complete overview of all the factors involved and their potential contribution to the problem.

6. Alert management to any serious legal liability issue for immediate action, e.g. sexual harassment.

7. Develop a staged plan for addressing the other problems which have been identified.

Be alert to both formal and informal systems. The organization may have a written procedure for hiring but when the chief administrator sees a good candidate he hires on his own.

Recognize that systems change with changing circumstances and information has to be kept current.

Take into account that systems did not develop by accident. People have investments in them and may be resistant to change.

Where there is resistance to change, explain the possible consequences of retaining the status quo in terms of not meeting organizational objectives, incurring higher costs, lower effectiveness, and legal vulnerability.

Be sure people understand the cause and effect relationship. Illustrate this numerically and graphically to enhance appreciation of the real impact of systemic discrimination.

STAGE TWO: DEVELOPING AN APPROACH

ACTION COMPONENTS   **OUTPUT**

| Establish an Employment Equity Stance |

| Identify Appropriate Strategies |

| Employment Equity Plan |

| Establish Goals and Timetables |

| Allocate Responsibilities |

| Provide Direction |

| Develop/Consolidate Systems |
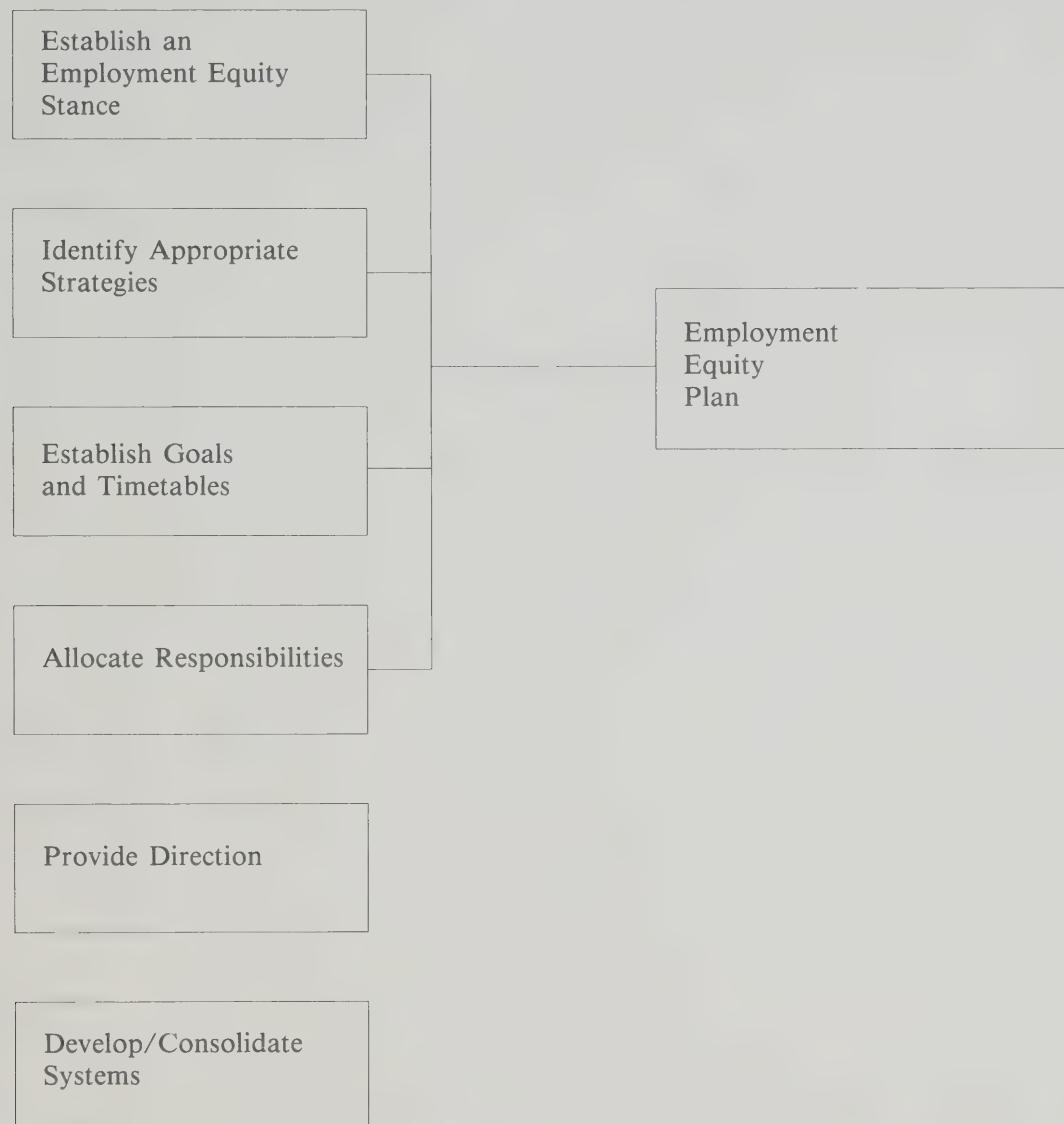
Chapter Six

Developing the Action Plan

- Employment Equity Stance
- Employment Equity Plan
- Goals and Timetables

DEVELOPING AN EMPLOYMENT EQUITY STANCE

Organizations vary in the approach they take to any program. The factors which determine the approach adopted are a combination of internal and external considerations and their interaction. It is important to acknowledge that in rapidly developing fields such as employment equity the basic position must be reviewed regularly.

Employment equity may be viewed on a continuum from strict compliance with legislation to proactive, preferential treatment of targeted groups. At each end of the continuum different activities will be undertaken.

Factors to consider

1. Is the organization willing to take a public position?

2. Does the organization see its equity position as weak?

3. Have there been a significant number of human rights complaints?

4. Does the organization believe that systemic discrimination exists?

5. Is the organization averse to strong corrective measures?

6. Does it normally operate in a slower, staged-in manner or is it given to dramatic reorganization and change?

7. Are there strong external factors affecting the organization?

8. What type of program is likely to gain the strongest support from all groups?

9. Are the resources available to carry out a comprehensive employment equity program?

10. Has a serious equity situation been documented in the organization?

Many combinations of factors and responses are of course possible. The important point is to assess your specific situation and develop a proposed employment equity stance accordingly. The equity stance will in large measure determine what is included in the plan.

IMPACT CONSIDERATIONS

In addition to recommending an appropriate stance for the organization, the practitioner should present senior management with a realistic picture of what might be expected as a result of assuming that stance. It is a good idea to contrast that with the current picture and realistically suggest the consequences of maintaining the status quo. The practitioner might wish to present several options:

eg.

Options   Consequences

1. maintain status quo ....
2. comply with legislation ....
3. proactive measures to achieve employment equity by _____   ....

DEVELOPING AN EMPLOYMENT EQUITY PLAN

The employment equity plan must be consistent with the organization's stance on employment equity, and with documented needs and priorities. The nature and extent of the problems will differ as will the approaches that will be successful in resolving them. As a result, there will be variation in the plan components between organizations and within organizations at different times.

Objectives

There are three common objectives that have been identified in employment equity programs which the plans will address. These are:

I   identifying and eliminating all forms of discrimination
II   adjusting for the effects of past discrimination
III working towards appropriate representation of women (and other target groups) across all levels and occupations

Scope

It must be recognized that these objectives represent a significant organizational change — changes in individual and group behaviour, in structures, systems and processes. The practitioner is urged to become familiar with the organization change process in order to appreciate the dimensions and complexities involved in this undertaking. An introduction may be found in the Beer text listed in the references at the end of this chapter.

Purpose

The purpose of the plan is to develop solutions for the problems which have been identified and to ensure that those solutions are workable in the current organizational context. On completion this plan may have the characteristics shown in the table which follows.

Characteristics

Employment Equity Plan	
Checklist	

- Mission/Mandate specified ☐
- Background information documented ☐
- Role(s) clarification documented ☐
- Specific problem areas identified ☐
- Solutions articulated ☐
- Priorities set forth ☐
- Resources identified ☐
- Specific Structures clarified ☐
- Responsibilities and accountabilities assigned ☐
- Objectives stated ☐
- Measurement criteria established ☐
- Monitoring mechanisms identified ☐
- Communication and training requirements noted ☐
- Union role clarified ☐

Explore how the internal environmental systems can respond using the various tools available.

INTERNAL ENVIRONMENT   **RESPONSE**

A. STRATEGIC CONCERN: MISSION/MANDATE

| TECHNICAL/OPERATIONAL SYSTEMS | • assess organization's equity status
• determine equity stance
• define extent of mission or mandate and assign appropriate resources |

| POLITICAL SYSTEM | • determine who influences mission
• get key managers involved in strategic decisions |

| CULTURAL SYSTEM | • Develop culture supportive of mission
• Manage valuing of diversity and its impact on mission |

B. STRATEGIC CONCERN: EMPLOYMENT EQUITY STRUCTURE, AND PROCESS

| TECHNICAL/OPERATION SYSTEMS | • clarify roles and assignment
• integrate into existing systems functions
• ensure program structure fits mission and strategy |

| POLITICAL SYSTEM | • distribute power
    — who makes decisions about program initiative
• balance power amongst competing interest groups |

| CULTURAL SYSTEM | • develop most effective program management consistent with technical and political system
• facilitate valuing of diversity and recognition of subcultures |

Framework

It may be useful to consider a strategic management framework which recognizes the different systems operating in the organization and identifies the tools which can be used to manage change. For example:

Develop a profile of the external environment.

EXTERNAL ENVIRONMENT　　　　　**ORGANIZATION RESPONSE**

Legal
- more extensive legislation
- stronger enforcement
- more significant penalties

COMPLY

Economic
- low growth
- fewer jobs
- automation
- service economy

CREATE
ALTERNATIVES

Political
- Lobby Groups
- Equity issue demands
- Flux

RECOGNIZE &
REPRESENT

Cultural/Social
- Demographics
- New values vs. traditional values
- Pluralism

IMPROVE QUALITY OF
WORKING LIFE/VALUE
DIVERSITY
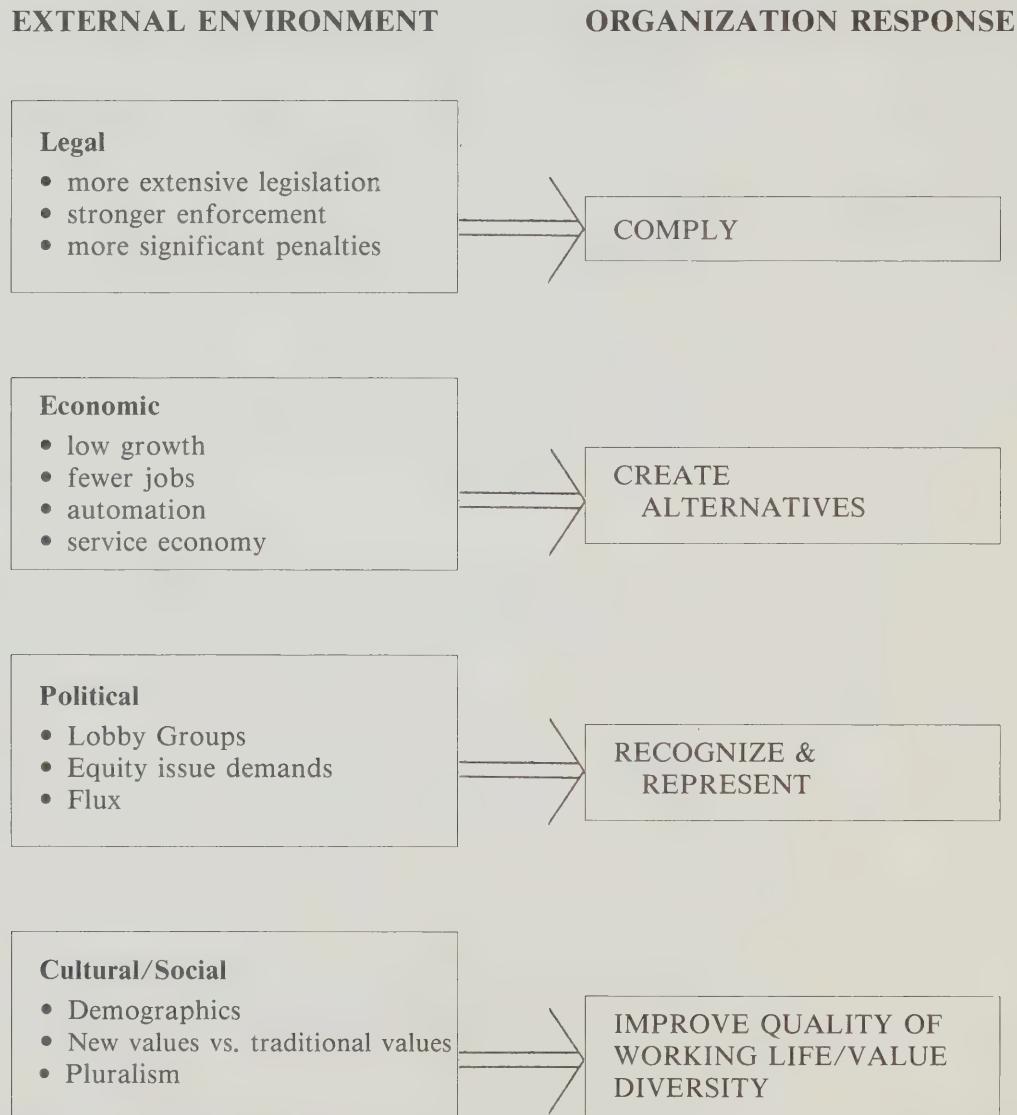
C. STRATEGIC CONCERN: HUMAN RESOURCE
MANAGEMENT

TECHNICAL/ OPERATIONAL SYSTEMS	• assign people • specify objectives • measure performance

POLITICAL SYSTEM	• Design and administer equity reinforcement • Manage appointment politics • Manage promotional and evaluation politics

CULTURAL SYSTEM	• Develop to influence valuing of diversity • Reinforce pluralistic culture

Adapted from Noel Tichy, "Managing Strategic Change"

Dimensions

The initiatives may be classified according to different dimensions

PLAN DIMENSIONS

SCOPE	• CORPORATE • STAFF • LINE
TYPE	• PROCESS • RESULTS (BOTTOM-LINE)
EQUITY GOALS	• elimination of discrimination • offsetting past discrimination • equal representation
TIMEFRAME	• SHORT • MID RANGE • LONG RANGE

SCOPE: The plan should identify and involve those who will have the responsibility and accountability for implementing it.

TYPE: Process objectives may be included but emphasis should be on concrete results-oriented objectives.

EQUITY GOALS: The first objective is viewed as universal, immediate and essential while the next two will be dealt with in different timeframes.

TIMEFRAME: The type of activity will in large measure determine the timeframe. At a secondary level resources and organizational stance will come into play.

Developing specific action plans

First level priority setting should identify critical issues, the types of actions desired and the organization's priority equity issues. **Each organization must develop a plan based on its goals and tailored to its real situation.**

Two case examples of what plans might include, follow. They are not presented as ideal, but rather as examples of the differences in the substance of the plans based on differing goals.

CASE 1:

The immediate mission has been identified as the elimination of discrimination. The scope is corporate and politically the power rests with the chief executive. The stance is compliance. The need is to have the organizational culture understand and adopt this position and have the organizational and human resource systems correspond to it.

Plan Initiatives: An Overview

Policy

   Develop a policy statement which is disseminated to all employees.

   This statement will include:

      a commitment to equal employment opportunity,
      identification of the actions required of managers,
      an indication of how the organization will deal with non-compliance.

   The policy statement will be developed by the senior executive group.

(CASE ONE: CONTINUED)

Communication Strategy

The policy statement will be communicated extensively.

Surveys will be carried out to evaluate effectiveness of communication strategy and to determine follow-up and reinforcement.

Process and Systems

Systems will be adjusted/enhanced to meet the equity objective to eliminate both direct and systemic discrimination:

i) Recruitment

Advertising will be open, in various publications, bias-free in language designed to attract the broadest group of candidates.
Selection criteria will not reflect any bias e.g. married women, etc.
Education and experience requirements will be job related.
Internal job postings will be widely disseminated.
Inventories will not exclude women or other target groups.
Unions will be consulted on collective agreements and recruitment impacts.

ii) Staffing

Policies will encourage equal opportunities.
   pool cut-offs should be established to ensure no systemic discrimination,
   managers will seek out candidates from all groups,
   internal promotional schemes will enhance equality where pool does exist.
Application forms will be bias free.
Interviews will not include any discriminatory questions.
Interviewers will be trained to be objective and sensitive to the appropriate questions to ask.
Representation of women and other groups on interview boards will be encouraged.
Reference checks will not include any bias in the questions asked.

iii) Promotions

All procedures for selecting candidates will be based upon fair assessment of the employee's abilities, performance, and merit.
A well publicized merit promotion plan will be put in effect throughout the organization.
Collective bargaining agreements will reflect the organization's position with respect to equity in promotion.
A formal performance evaluation will form an important part of the information used in assessing individuals for promotion.

iv)   Compensation and Benefits

Job evaluation schemes will be bias-free.
Salary administration programs will eliminate market bias.
Retirement and health plans will be structured according to the law.
Salary administration will ensure equity at entry levels and on promotion.

v)   Training and Development

Selection criteria for training programs will be bias free.
All types of training will be developed for various levels of employees.
Development programs will be open to all.

vi)   Human Resource Planning

The situation of women and other groups will be considered in the overall planning strategy.

vii) Termination and Layoff

Proportional layoff formula will be considered so that women and others
will not be adversely affected.
Terminations will be monitored to ensure that they are not directly or indirectly affecting
women.

viii) Collective agreements
Each collective agreement will include a non-discrimination clause covering all sections of
the agreement.
Union referrals for all jobs must be non-discriminatory.
Management efforts will be directed to changing seniority systems which perpetuate a
discriminatory effect on women.

The senior executive responsible will actively enforce equity requirements with all levels of management
and supervision.

Cultural Systems

The need to accept various groups will be reinforced in informal groups, employee publications,
advertising and public relations.

Each of the above initiatives will have attached to it:

• specific goals and timetables for carrying out the activity
• responsibilities and accountabilities
• evaluation criteria
• monitoring procedures

(CASE ONE: CONTINUED)

Since the above relates to ensuring compliance with the law, the need to act is immediate. The quantitative and qualitative data provided by the equity audit will provide a specific focus for initial action.

CASE 2:

The mission has been identified as developing a comprehensive employment equity plan which will address all three equity objectives. The scope is across the organization and politically the power rests with the Board of Directors. The stance is proactive. The need is to develop a broad spectrum of projects including special measures which will compensate for past exclusion and limitation.

Plan Initiatives: an Overview

The compliance aspect of this program will follow the scenario set out in Case 1. The program developed to meet the other two equity objectives will include:

Policy

Develop a policy statement which is disseminated to all employees.

This statement will include:
   A commitment to a representative workforce.
   The types of reinforcement to be used in influencing manager, e.g. "employment equity goal achievement will be strongly stressed in performance evaluation."
   The intent of the organization to use proactive measures.

Practice & Systems

Systems will be adjusted/enhanced to meet basic equity requirements. In addition, systems will be structured to enhance the advancement of women.

i) Recruitment.

   Advertising will be placed in publications where women would be most likely to see them, with professional associations that represent women.

   Pre-selection criteria will be weighted to include women.
   Job requirements and qualifications will recognize skills and abilities acquired in other spheres e.g. the home, volunteer work.
   Qualified women from inventories will be invited to apply.
   Job postings will specifically note interest in receiving applications from women.

 ii) Staffing
   Policies will encourage female candidates.
   Pool levels will be adjusted to include adequate number of female candidates e.g. qualifications for vice-principals will be re-examined and aligned to increase the numbers of eligible females. Outreach recruitment for qualified females will occur when the pool of female candidates is insufficient.

(CASE TWO: CONTINUED)

All other things being equal preference will be given to women where they are under-represented.
Interview boards will have female representation.

iii) Promotions

An accelerated promotional scheme for women will be developed to compensate for past exclusion.
A promotional inventory of qualified women both internal and external will be used for senior level and non-traditional jobs.

iv) Compensation and Benefits

An equal value job evaluation scheme will be introduced.
Paid pregnancy leave will be included in the benefit package.
The salary administration program will adjust for sex bias in current market values and compensate for past discrimination in female dominated jobs.

v) Training and Development

Places will be assigned to female participants on management and non-traditional programs. Developmental assignments will be created to allow women to pick up skills in areas from which they have been excluded in the past.

vi) Human Resource Planning

Specific initiatives will be included to increase current representation and to ensure future full participation. e.g. where automation is occurring (e.g. payroll) women whose jobs are being phased out will be trained for future requirements.

vii) Termination and Layoff

Proportional layoff program will be implemented.

Because the above includes not only an equality focus but proactive initiatives as well, the need for involvement of all managerial staff in formulating actions and being held accountable is particularly important. In addition the communication program must keep all staff up to date on the organization's activities.
Emphasis on recruitment and staffing will depend on some growth and/or turnover in the existing labour force which may or may not be occurring frequently in a low growth economy. Nonetheless, managerial involvement can encourage change in other organizational systems.

Political systems

The senior executive responsible will ensure that key project assignments are equally assigned to women.

(CASE TWO: CONTINUED)

Women will be represented in all key decision groups in the organization.

Managers at all levels will be reinforced for pursuing the organization's equity goals.

Cultural systems

Managerial style will be developed which encourages recognition of the value of different groups in the organization.

The initiatives should have attached to them -
- specific goals and timetables
- responsibilities and accountabilities
- evaluation criteria
- monitoring procedures

This comprehensive program requires considerable resources and commitment on the part of management. It can be pursued in a low growth economy with the prime focus on internal promotion and development. It demands a high level of sophistication in existing human resource management programs and an understanding of organizational change. In addition to the core plan elements, it may include strategic projects which address specific issues such as day care needs.

CASE 3:

In this case the mission is to eliminate discrimination and to undertake some initiatives which will enhance female participation across the workforce. The scope of the anti-discrimination effort is corporate while the focused initiatives would occur at specific points or in designated areas based on organizational priorities. Politically the power behind the program is diffused. The need is to be clear on the priorities and to ensure acceptance by key groups.

The problem analysis has shown no women in non-traditional jobs and none in senior management. As a highly visible employer the concern is to make a concentrated effort in these two areas and the program would also include a number of elements derived from the previous scenarios.

GOALS AND TIMETABLES

The issue of goals and timetables is critical to an employment equity program in the same way that it is important to financial management, plant management or any other aspect of managing an organization.

The goals have to have the concurrence of managers and be recognized by the organization as valid and attainable.

They have to be phrased in such a way that it is clear what the outputs are at various times and who is responsible and accountable.

Goals in employment equity programs should be articulated in the same management planning format as that used elsewhere in the organization.

Planning over time

SHORT TERM PLANNING AND GOALS

- Elimination of discriminatory practices and the reduction of liability is an immediate need.
- Ensurance of compliance on the part of all managers, supervisors and employees is essential.
- The dissemination of the equity stance of the organization must occur early.
- The systematic review of all employment systems or those where a known problem exists is critical.
- The involvement of key management personnel in establishing these compliance goals is important.

MEDIUM RANGE PLANNING AND GOALS

- The macro analysis of the organization's equity situation (comprehensive audit) should take place during the first year.
- Annual Planning will identify ongoing issues.
- Interventions to influence transaction statistics should be formulated through the mid-range.
- The medium range goals should address those areas intended to influence the long range goals.
- Each manager should identify goals which can be achieved within the normal planning cycle.

LONG RANGE PLANNING AND GOALS

- Changes to representation should be projected over a three or five year period.
- Changes in political structure and culture should also be viewed within the same time period.

These guidelines can be used to frame the goals of the program. It is important to distinguish between the organization's need for quick return on its investment and the fact that some objectives require a longer planning framework.

The format of an Employment Equity Plan

Employment equity initiatives should be incorporated in corporate and departmental plans using the standard formats. In addition, it is desirable to have a consolidated employment equity plan for reference and to present or have available for managers and employees.

One suggested format is as follows:

SAMPLE:

Action Area	Recommendations	Responsibility	Goal and Date
Promotion	1. The inventory of senior women should be updated and accessed for all manager positions. Women from this list would be invited to apply.	Executive Development	immediate increase in referral rate by 50% over last year
Recruitment for non-traditional jobs	1. Establish outreach recruitment including selective advertising inventories 2. Review job qualificatons 3. Managerial goals	Personnel Managers	in 3 months inventory established selective advertising immediately change in pool of 30% immediate dependent on area, expressed as hire #

This plan document should also provide:

- a definition of employment equity
- the employment equity mission of the organization
- the purpose of the employment equity plan
- the basis of problem identification
- the establishment of goals and timetables
- responsibilities and accountabilities
- program evaluation criteria and feedback

SUMMARY:

An organization's Employment Equity Plan should:

- reflect the needs and priorities of the organization
- address   i)   the elimination of discrimination
    - ii)   adjustment necessary to compensate for the effects of past discrimination
    - iii)   working towards appropriate representation of women across all levels and occupations
- articulate solutions for the problems which have been identified
- include a clear description of organization policy and commitment (Mission/Mandate)
- be based on qualitative and quantitative information describing the utilization of women in the organization or include plans for obtaining the information
- include specific goals and timetables
- include roles, responsibilities and accountabilities
- have senior level responsibility identified
- include measures for changing the political and cultural as well as the technical environment
- pinpoint managerial and supervisory accountability
- outline the development of systems to monitor and evaluate progress in a timely basis

REFERENCES

Beer, Michael. ORGANIZATION CHANGE AND DEVELOPMENT: A SYSTEMS VIEW, Glenview, Illinois, Scott, Foresman and Co., 1980

Harvey, Edward B. and John. H. Blakely. STRATEGIES FOR ESTABLISHING AFFIRMATIVE ACTION GOALS AND TIMETABLES (available from B. Harvey, Ontario Institute for Studies in Education, Toronto)

Tichy, Noel. MANAGING STRATEGIC CHANGE: TECHNICAL, POLITICAL AND CULTURAL DYNAMICS, New York, John Wiley and Sons, 1983

It is most worthwhile to get information on the employment equity plans of other organizations. It is particularly useful to examine plans from comparable organizations in terms of sector, size, geographic location, organizational similarities, and employment equity mandate.

Plans are available from the Ontario Women's Directorate.
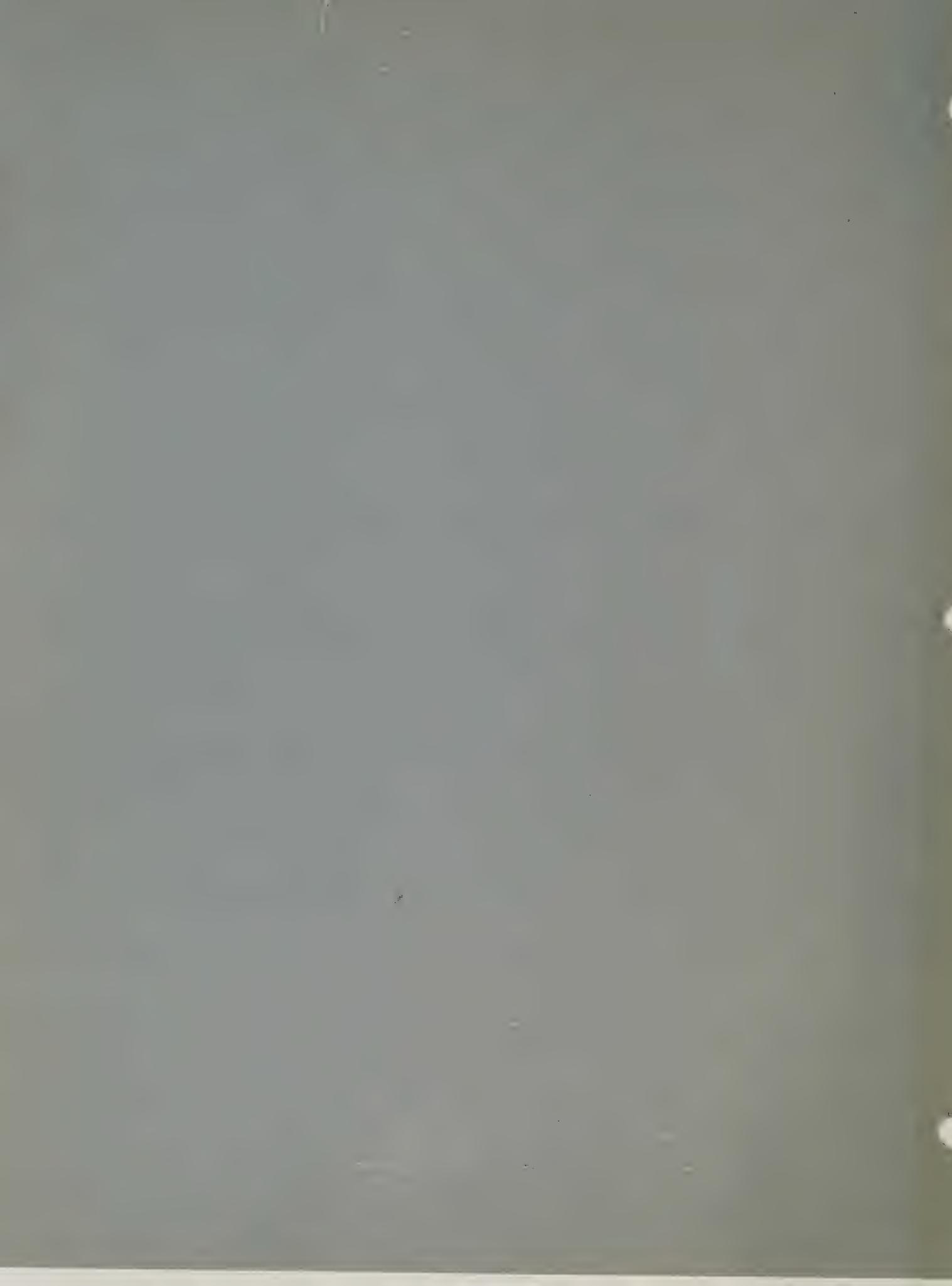
STAGE THREE: IMPLEMENTING THE PLAN

ACTION COMPONENTS   **RESULTS**

Put in Place A Communications Strategy	Well Informed Staff Climate Change

Managers Implement Planned Initiatives	Management Ownership and Commitment

Ensure Appropriate Resource Allocation	Capability to Succeed

Initiate Education and Training	Changes in Attitudes and Behaviour

Issue and Implement Guidelines on Bias-Free • Staffing • Promotion • Transfers • Evaluation	Compliance Enhancement of human resources management practices

Integrate With Other Systems	Inclusion in Corporate Planning Performance Management Information Systems Reports

Chapter Seven

Implementing the Plan

- responsibility allocation
- resource allocation
- communication strategy
- management guidelines
- training and development
- integration

PREFACE

The Employment Equity Plan will identify specific initiatives which will be the responsibility of various members of the organization. The overall thrust has to be coordinated and managed and certain implementation decisions and actions have to be taken at a corporate level. These areas become the direct responsibility of the employment equity coordinator in providing the direction to be taken and initiating some of the specific actions that are required.

While the identification of the specific organizational problems and the development of relevant solutions are absolutely necessary, it is equally important to carefully carry them out and to ensure that structures which can enhance implementation are put in place.

Key enhancement actions include:
- responsibility allocation
- resource allocation
- communication strategy
- management guidelines
- training and development
- integration

The information which follows provides some direction in these areas. It will always be necessary to adapt any strategy to the particular organizational environment.

RESPONSIBILITY ALLOCATION

It is critical to the success of any employment equity initiatives that the efforts be "line-driven" - the direction must come from senior management down through the reporting lines to successive levels of management. Staff assigned to employment equity must recognize that management is ultimately responsible and accountable for the equity position of the organization.

It is appropriate for a person in a staff position to advise, consult, inform and assist management to meet the organization's equity objectives. Persons in staff positions who by definition do not have the authority therefore do not have the responsibility for achieving equity objectives - ultimately both rest with senior management.

RESOURCE ALLOCATION

The successful implementation of the employment equity program will be heavily dependent on the resources allocated to the activities which have to be undertaken. Inappropriate or insufficient resources can prevent achieving the desired results. If the program is a full-scale organizational intervention then staffing has to reflect this intent. Resource allocation is not only an issue for the new program but must be considered for the intermediate and mature program as well.

It is generally agreed that there must be a focal point for the employment equity program, i.e. a senior person who is charged with responsibility for coordinating the employment equity efforts. Frequently, committees are formed to provide ongoing advice to the program. The number of staff allocated will depend on the scope of the program and the timeframe for achieving results.

It is obvious that the status of the individuals involved, their credibility in the organization, their competence both perceived and real, their reporting relationship, and the extent of their influence and financial resources convey a message to the organization as to the importance of the equity issue.

The responsibilities of the individual or group will vary but as a starting point might include:

• facilitating the development of the policy statement, the written action plan, and the internal and external communications procedures.

• assisting line management in the collection and analysis of employment data, the identification of problem areas, the development of action plans including goals and timetables.

• developing, implementing, and monitoring audit and reporting systems. If the organization has human resource information systems this activity would be located there.

• serving as a liaison with target group representatives, government agencies, and the community at large.

• managing the communication program.

• informing management of new laws affecting employment equity issues.

The political and cultural systems of the organization must be supportive of these initiatives in order for the program to have the desired impact and for the practitioner to be successful in the role. In addition, managers must recognize their own responsibilities and accountabilities.

DEVELOPING AND IMPLEMENTING A COMMUNICATION STRATEGY

In implementing an employment equity plan it is extremely important to communicate to all staff the purpose of the program, the roles of the various people involved, the current equity status of the organization, the equity stance of the organization, the actions the organization proposes to take, and the external position to be established on the issue.

The internal communication components will include:
• the policy statement
• briefings of managers and supervisors
• information on organizational status
• brochures on the program and related areas
    e.g. sexual harassment, career development, interviewing practices
• articles in employee papers
• information programs to permit staff to discuss the issues
• special public relations programs

The external communication components will include:

- a statement of the organization's commitment
- presentations in community forums
- speeches to various groups
- acknowledgment of equity stance in advertisements
- involvement with target group representatives

The nature and extent of both internal and external communications will be related to the organization's stance. The following is a sample of a possible communication strategy.

Sample:

Communications strategy for the Board of Education for _____

Purpose:

The Board recognizes that human rights and employment equity issues are becoming increasingly important and that it is therefore necessary to develop a communications strategy dealing with these concerns. The Employment Equity coordinator will act as the spokesperson on these issues and will coordinate responses by other Board officials on this subject.

Roles and responsibilities:

The Employment Equity coordinator will be responsible for providing information both internally and externally on the subject. When called upon the coordinator will deliver speeches, act as an internal consultant, will review the publications program, and arrange for internal briefing and presentations.

Senior management will also be involved in reinforcing the organization's equity stance and representing the Board in public.

Organizational status:

The status of the Board will be presented in:

- a report on equity status
- the policy with respect to sexual harassment
- the EEO report
- informal reports on special activities

Organizational stance:

Policy statement: "As a public employer in this community, the Board is committed to compliance with the Ontario Human Rights Code and its regulations. The Board promotes this concept both in relation to its staff and in reference to its student body. It is our intent to be proactive in this area and to do everything

possible to eliminate discrimination, remove barriers to women, and improve the opportunities for women in all segments of our workforce. To that end, all members of the administration are charged with supporting these objectives."

External communications statement:

"It is the intent of the Board to be responsive to requests for public participation on this subject."

Management briefings:

On completion of the audit or other analytical study, managers should be advised on the findings and the recommendations for action. This should be done in normal management meetings. It is advisable to consult with managers individually on the issues and seek their involvement in designing the organization's general response. Senior level briefings would be held first and then mould successively down through the organization. Where attitude surveys have been undertaken, it is necessary to communicate the results to all participants along with the organization's intended response.

Timely briefings should be held to update managers on changes in legislation, complaints, new program initiatives, problems and current issues. Changes to the external environment should be discussed in terms of their impact on the program along with any revisions required.

Communications impact:

The communications strategy can enhance both the understanding and acceptance of the program internally and externally. It will also ensure a consistent organizational response and position in dealing with various equity issues.

THE IMPLEMENTATION ROLE OF MANAGEMENT

Managers' responsibilities must be clearly articulated from the outset. Managers hire, promote, evaluate, train, pay, and terminate employees. They largely determine the quality of working life and the motivation of their staff. Their role in employment equity is direct and critical to the program's success. They must therefore be reinforced for their involvement in the same way they are rewarded for the effective management of a plant, the marketing of a new product or the balancing of the budget. To do otherwise is clearly to weaken the possible success of the program.

It must be recognized that different positions exist with respect to employment equity and these are held by individuals as well as organizations. Where these are contrary to the law the manager concerned must be advised of the necessity to comply. One manager contravening the law can cause the organization considerable expense and result in unwanted negative publicity.

Managers are responsible for:

- implementing their own employment equity initiatives and for ensuring that their goals contribute to the overall organizational goal.
- ensuring that their practices are consistent with organizational policy.
- ensuring that the organizational climate in their department/section is conducive to employment equity.
- eliminating any discriminatory practices in their area and for ensuring continued compliance with the law on the part of all their employees.
- encouraging the career development of all members of their staff including their support staff and lower level administrative and operational staff.
- following corporate directives and initiatives in the employment equity area.

Specific guidelines on corporate activities and various employment issues should be provided to all managers. Some of the areas have already been covered in other parts of this manual. Some additional guidelines are outlined here.

GUIDELINES ON DISCRIMINATION FOR MANAGERS AND SUPERVISORS

Good management is essential to ensuring a non-discriminatory work environment. Many complaints are based on the fact that people feel they have been treated differently and unfairly. In addition people do not perceive that they have the same job opportunities as others if they are subject to, or feel they are subject to different rules. The practitioner can assist the manager or supervisor in understanding the basic practices of equal treatment and this will serve as a baseline for any equity program.

1. **Consistent:**
   Managers and supervisors should ensure that employees at all levels are treated the same way. Conditions of employment, evaluations, pay practices, annual increases are all areas where consistency must be maintained.

2. **Ensure job relatedness:**
   The reasons for hiring, promoting, compensating in a certain way must all be related to the job. This works both positively and negatively. People with the best credentials for the job should get the job — the clerk who has trained three previous incumbents in the officer position should be given serious consideration for that position. A woman with outstanding credentials for a management position should not be rejected because she has two children.

3. **Be knowledgeable about legislation and its implications:**
   Every manager should be up to date on the law and its impact on their practices. Understanding systemic discrimination is particularly important since it is a major change in how discrimination is interpreted.

4. **Handle complaints fairly and in a timely fashion:**
   Complaints should not be ignored or treated lightly. They should be thoroughly investigated, documented, and dealt with.

5. **Participate in the organization's employment equity program:**
   The employment equity program is the responsibility of managers and managers are accountable for the results.

6. **Be on the lookout for adverse impact:**
   Managers should be alert to possible areas of adverse impact i.e. practices which affect women differently than others. If a manager only recommends people already in officer positions for developmental training and women are not currently represented in those positions, this will have a negative impact on women and could be found to be systemic discrimination.

TRAINING AND DEVELOPMENT

As has been noted previously, the development of management understanding of the employment equity program and their role in implementation is critical to success.

Management development can be concentrated initially in three areas:

- .Understanding the current equity status of the organization and participating in the development of solutions and goals. Learning to manage employment equity.

- Being informed fully of human rights legislation and understanding its implications for managing, i.e. managing compliance.

- Learning to deal with harassment situations. Managers should be able to recognize harassment (sexual, racial) and be informed on what actions to take.

The practitioner should oversee the development of programs in the three areas noted above early in the development and implementation of the employment equity program.

Programs could be structured to cover the following:

Program 1: Managing employment equity.

- The current status of women in the organization.
    - statistics by occupation
    - statistics by level
    - pay comparisons
    - entry levels
    - transactions: hiring, promotions etc.
    - access to jobs

- An overview of employment practices and their impact.
- A summary of organizational concerns
- Senior management priorities
- Initiating problem solving
- Goal setting

Program 2: Managing compliance.

- An overview of the Ontario Human Rights Code
- A discussion of its sections relating to employment and their impact
- Issues and their interpretation
- Future directions

Program 3: Learning to deal with harassment.

- Understanding the dimensions of sexual/racial harassment
- Knowing how to investigate
- Coming to resolutions of problems
- Ensuring an harassment free environment

Reinforcing the learning

If a reinforcement strategy is attached to the training, it will enhance the impact of the program. This may be done by using the standard evaluation system, by managers who have acquired the knowledge particiate in sessions with their peers as session leaders, by having managers provide information sessions to their employees, and by acknowledging management's role in communications materials.

INTEGRATION

Ultimately, if not necessarily at the outset, it is desirable if employment equity planning, goal setting, in formation gathering and recording, systems change, and monitoring is integrated with the present organizational systems. This however is dependent on a number of factors and is usually not feasible at the beginning. Before deciding on integration, the practitioner should assess the capabilities of present systems.

There needs to be a willingness to incorporate the employment equity initiatives and a capability of understanding the requirements and priorities of the program.

Assessing systems capability

- Information Systems

   Is there an automated personnel data base or human resource information system?
   If there is, what information is up on that system, how reliable is it, and how current is it.
   Does it identify sex?
   Does existing programming permit projects for staffing certain jobs?
   Does the system record evaluations, career planning, training information, potential?

- Strategic Planning Systems

   Is there a corporate planning system, for what time periods?
   Is there a branch or school, or department planning system which is integrated with the corporate system?
   How are different parts of the organization brought together in the planning process, and cross department needs assessed and coordinated?
   What would be the most effective way of introducing employment equity planning in the organization?

- Approval Processes

   How are decisions arrived at re: programs, money, staffing?
   What level has approval for what dollar amount?
   How does the approval responsibility of the employment equity program correspond with other programs?

- Human Resource Planning Systems

   Does the organization have a succession planning system, a system for enhancing career planning? Are these automated?

Does the organization have the capacity to assess its internal staffing strength projections?
Does the organization follow external availability?

Very often the employment equity program will provide the impetus for an organization to become more systematic in its approach to a number of human resource areas. The extent to which the employment equity program can become integrated will largely depend on the current status of its systems. The integration should begin with the information systems since these are required for initial planning and for ongoing monitoring. This should be followed by integration in the strategic planning systems, approval processes, and human resource planning systems. There has to be present the willingness to incorporate the employment equity initiatives along with the capability of understanding the requirements and priorities of the program.

STAGE FOUR: MONITORING AND EVALUATING

ACTION COMPONENTS   **OUTPUTS/RESPONSES**

| Review Managerial Performance | Document Managerial Initiative and Reward successes |

| Examine Information Systems Feedback | Results-oriented Reports |

| Document Overall Performance | Interim and Annual Reports |

| Assess Climate Change | Surveys Discrimination Index Job satisfaction |

| Review Special Measures Impact and Current Need | Opportunity Index Adverse Impact |

| Carry Out A Plan Assessment | Plan enhancement and revision |

Chapter 8

Monitoring and Evaluating

- Managerial monitoring
- Changes in Status & Representation
- Changes to Policies, Practices, Systems
- Structural Change
- Climate/values change
- Special projects
- Plan revision
- Formal and informal feedback mechanisms

PREFACE

As with any program it is essential to measure the impact of employment equity initiatives and to determine whether or not the initiatives being undertaken are effective in producing the desired change. The evaluative methodology used has to be appropriate to the type of initiative and to the outputs expected. Over time it should be possible to say whether or not a particular employment equity strategy is working.

It is important to monitor -

- the amount and direction of change
- the determinants of change or no change.

Where there are problems and the desired change has not occurred, it is important to identify the cause as quickly as possible and to revise the approach.

A comprehensive monitoring program is complex, time consuming and cost effective. It is the only way to assess the impact of initiatives and provide the feedback necessary for revision.

Organization change is measured in a number of areas and over different time frames. The measures used vary according to the nature of the information. A summary chart of the variables and the approach is shown here.

EMPLOYMENT EQUITY
MONITORING ORGANIZATIONAL CHANGE

Type of Change	Type of Measure	Specifics
Changes in status and representation	Statistical	a) Changes in overall representation b) Analysis of staffing matrix c) Segregation index d) Index of level differentiation e) Job access summaries f) Salary analysis g) Goal analysis h) Breakout by employment transactions
Changes in policies, practices, and systems	Qualitative documentation	Summary reports on starting point, current status, degree of change, and impact
Structural change	Qualitative documentation	Graphic representation, impact analysis
Climate/Values change	Sociometric indicators Attitude surveys	Degree of change, impact analysis

Change has to be monitored both at the organizational level and at the branch, unit, school, or departmental level. Managerial accountability must be reinforced by reports on each responsibility centre. These should cover items such as goal achievement, training activities, and employment equity activity analyses.

For the smaller organization or the organization with a limited number of initiatives monitoring is still important. The baseline data, i.e. representation, should always be gathered. Where the intent is only to establish compliance with human rights legislation, it is possible that the measures taken to eliminate systemic discrimination will also change bottom-line representation.

MANAGERIAL MONITORING

Managers have the responsibility of monitoring employment equity in their own areas of responsibility. It is important that accountability be related to those areas over which the manager has control. If criteria for training programs are established centrally then it is difficult for a manager to alter his/her training performance. The manager should in that case report the difficulty to the training group.

Managers should maintain documentation in the following areas:

- interview monitoring
- employment equity status summary
- training and development status report
- evaluation of the goals and timetables established

Sample forms are shown here.

INTERVIEW MONITORING RECORD

Branch:

Director:

Date:

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1. Classification

2. Job title

3. Type of competition:

   ☐ — internal
   ☐ — external

4. Date closed

5. Advertising media

6. Date of interviews

7. Number of applications   (   )   Number of women   (   )

8. Number qualified   (   )   Number of qualified women   (   )

9. Number interviewed   (   )   Number of women interviewed (   )

10. Selection

    a) internal   male (   )   female (   )

    b) within unit   male (   )   female (   )

    c) external   male (   )   female (   )

    d) promotion   male (   )   female (   )

    e) lateral   male (   )   female (   )

11. Members of the Board:

EMPLOYMENT EQUITY STATUS SUMMARY

Branch:

Director:

Date:

Initiative	Date Due	Date Completed	Goal Achieved
1. carry out workforce analysis			
2. establish goals and timetables			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

TRAINING AND DEVELOPMENT STATUS REPORTS

Branch:

Director:

Date:

Name	Job title	Classification	Sex	Course	Dates	Cost

Summary:

Total number of male staff attending courses or seminars _____

Total number of female staff attending courses or seminars _____

Total costs incurred by male staff _____

Total costs incurred by female staff _____

Number of female staff attending management courses _____

Number of females attending non-traditional programs _____

EMPLOYMENT EQUITY PROGRAM
GOALS AND TIMETABLES ANALYSIS

Branch:

Director:

Date:

PROJECTED EMPLOYMENT EQUITY STATUS

3 YEAR GOAL male	female	Projected total employees next 12 mos.	Projected turnover	Net job openings/ reduction	Promotables 12 mos. female	Goal next 12 mos. net change: female	male

This information should be submitted to the manager's superior so that he/she may assess the manager's performance in this area. This information should also be submitted to the employment equity responsibility area for consolidation and review. Managers would carry out adverse impact analyses or seek assistance in doing so in areas where it was determined that problems appeared to exist.

Managers will assist in the collection of organizational data related to representation. While this will be analyzed centrally, the degree of change needs to be monitored within each organizational unit. In this way the manager will be aware of change in occupational groups, salaries, access to non-traditional or management jobs and other issues.

At management meetings, managers may be asked to report their employment equity performance and discuss ways in which that performance might be enhanced. The practitioner has a major role in training managers to meet these responsibilities.

CHANGES IN STATUS AND REPRESENTATION

The objective here is to document bottom-line impact. The information should be shown for the organization as a whole and for individual units. The latter is necessary to reinforce managerial responsibility and accountability.

a) Changes in overall representation

Changes in overall representation are expressed as a percentage change.

Example: Favex Corporation

	1985		1986		Change	
	#	%#	#	%	#	%
males						
females						

Example: Sales Department

	1985		1986		Change	
	#	%#	#	%	#	%
males						
females						

This type of measure is very broad but it does allow comparison with the labour force generally and with other comparable organizations.

b) Changes by job category

A number of possibilities exists for presenting changes by job category. The format shown here provides a useful summary.

	1985 Baseline				1986 Current				Change			
	males		females		males		females		males		females	
	#	%	#	%	#	%	#	%	#	%	#	%
Managerial												
Clerical												
Technical												
etc.												

This type of presentation provides immediate feedback on the degree of change. It is simple to do and useful to compare with Statistics Canada data or other source data to determine how the organization is progressing. It is also used to compare against the organization's goal data to see if movement is sufficient to achieve long term goals.

Index of segregation

There are a number of indices designed to show the percentage change which must take place to achieve proportional representation. The problem is to establish an acceptable standard by which to determine appropriate representation. The example below illustrates the procedure using hypothetical data of appropriate representation of 50/50.

Example: Index of Segregation

Administrative assistants

	Male	Female	Difference
Targeted representation	50	50	0
Current representation	70	30	40
	-20	+20	40

Current index .4

Targeted index 0

Index of level differentiation

This index was developed by the Public Service Commission of the federal government to measure francophones by level. The necessary information required is the job classification and level. The example below illustrates the process.

Clerical workers

Levels	% male	% female	% difference
1	5	40	-35
2	10	30	-20
3	10	20	-10
4	35	6	+29
5	40	4	+36
	100	100	

This demonstrates that females are concentrated at the lower levels and males at the upper levels. It provides an indication of the magnitude of change that would be required to adjust for this unequal representation.

Job access

Occupational segregation restricts opportunity and is regarded as a major factor in the difference in wages between males and females. Monitoring changes on an annual basis provides a valuable indicator of movement towards workforce integration.

Example:

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Total number of job titles	32	
Number of "male" job titles	15	
Number of "female" job titles	9	
Number of integrated job titles	8	

Average salary of "male" positions	min. 341.74	max. 421.77
Average salary of "female" positions	min. 177.60	max. 207.62
Average salary of integrated positions	min. 318.56	max. 386.60

It has generally been found that females have access to fewer jobs than males.

Access of males   72%
Access of females 53%

The criteria for identifying positions as sex segregated may be set by the organization. A commonly used figure is 70%.

Salary analysis

A number of approaches are used to document salary issues. A ratio of female to male salaries is frequently cited. e.g. women earn 60% of what men earn. Monitoring this on an annual basis provides an indication of both the elimination of salary disparities and of job integration. Comparisons within occupational groups help to flag possible wage discrimination and can also be presented in such a way to show change over a 12 month period. Representation to salary range is often used to mask individual salaries for reasons of confidentiality.

Goal analysis

The organization in its employment equity plan establishes certain goals and timetables in regard to bottom-line representation. The targets are compared with actual attainment to illustrate the organization's performance on its employment equity initiatives. It can be compared with sales performance, number of graduates, efficiency in the provision of services or any of the other indicators which organizations use.

Occupational Categories	Current representation	Goal	Net change	Short/Over	
				-	+
Upper level management					
Middle level management					

Transactions

A summary is prepared of each employment transaction area to examine its contribution to overall employment equity.

Example:

staffing	1985		1986	
	males	females	males	females
total number of positions staffed				
total applications received				
total interviews				

Percentages can be worked out to show the success rate of males and females at various points and adverse impact determined.

SUMMARY

This information provides a total statistical picture of the organization. Transaction data can be assessed quarterly. Generally the other information shown here is compiled annually.

Changes to Policies, Practices and Systems

These aspects of the program are subjected to a qualitative analysis which can be compared with statistical data. For example, the impact of a change in recruitment pool boundaries may produce a statistical change in the number of applications received from females. Every substantial change in policy, practical or systems should be reviewed annually and assessed according to its projected outcome.

STRUCTURAL CHANGE

Changes in organizational structure can have a significant impact on the number of jobs, the types of jobs, and the way people are assigned. Reorganizations should be considered in the annual review and any employment equity impact documented. Downsizing, closing off certain areas, realignment can all have ramifications.

CLIMATE / VALUES CHANGE

If one of the overall objectives is to move the organization to more pluralistic values and greater recognition of the positive implications of valuing diversity then it is important to document shifts in attitudes and values. There are a number of instruments available to undertake this type of analysis.

SPECIAL PROJECTS

Special projects, undertaken to promote employment equity may have an indirect impact on representation and need to be assessed independently. For example, the establishment of a day care centre can be looked at in terms of employee retention, reduction in absenteeism. A non-traditional training program, an accelerated career development program, or a mentor program are other examples.

PLAN REVISION

When all information has been compiled and analyzed it is then necessary to re-examine the employment equity plan and identify its strengths and weaknesses. Changes to strategy should be determined and implemented.

FEEDBACK (INFORMAL)

Informal feedback is an essential part of the change process. Managers should receive comments on their progress or lack thereof from their superiors and written reports from the coordinating agency. Meetings to enhance problem identification should be scheduled on a regular basis between the employment equity staff and individual managers.

FEEDBACK (FORMAL)

In addition to the informal feedback, all employees should have access to summary reports which document the organization's employment equity performance. These reports are usually done on an interim and annual basis.

Interim reports may be used to provide feedback on:

- transactions
- special short term initiatives
- new problem areas
- significant managerial or organization achievements
- research

Annual reports are more formal and complete. They should provide a complete review of all the achievement indices, shortfalls, notable achievements, change in orientation or approach, new programs. They include:

- a restatement of the organization's employment equity mission
- a statement by the chief executive officer
- an outline of the strategic approach
- an environmental impact summary
- an item by item review of the performance data
- an analysis of the impact to date
- a statement of revisions to the program
- an outline of the next year's initiatives

SUMMARY

Every component of the employment equity plan and program is important in contributing to the whole. The monitoring and feedback systems provide that all important measure of success and the opportunity for change. They should incorporate:

- procedures for determining impact on representation
- procedures for assessing qualitative change
- processes which reinforce management responsibility and accountability
- a consolidated review of equity performance
- intermittent formal and informal feedback
- an annual report which serves as the basic reference document

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